

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-THIRD DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 27, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

ABSENT

Boissiere
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Calvin Veal, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

**RIVER PARISHES CONVENTION, TOURIST AND
VISITORS COMMISSION (RPCTVC)**

March 9, 2004

Senator Donald E. Hines
President of the Louisiana Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

I would appreciate if you and all Members of the Senate would consider the following persons for appointments to the River Parishes Convention, Tourist and Visitors Commission.

St. James Parish Commissioners

Paul G. Aucoin	Mr. Charles Martin
134 Goodwill Plantation Road	32963 Highway 643
Vacherie, Louisiana 70090	Paulina, Louisiana 70763

St. John the Baptist Parish Commissioner

Mr. Michael A. Norton
1036 West Airline Highway
LaPlace, LA 70086

St. Charles Parish Commissioner

Rochelle Cancienne
Post Office Box 25
Luling, Louisiana 70070

If you have any questions, please do not hesitate to contact me.

Thanking you and with best personal regards, I am,

Very truly yours,
PAUL G. AUCOIN
Chairman

LOUISIANA DEPARTMENT OF INSURANCE

May 27, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

The Louisiana Health Care Commission was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointments for membership to the Louisiana Health Care Commission. The term began July 1, 2003, and ends June 30, 2005.

Fran Bussie

Page 2 SENATE

May 27, 2004

33rd DAY'S PROCEEDINGS

Ralph Jonathan Henderson

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you at a later date.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely,
ALISON M. JONES
Executive Director
Louisiana Health Care Commission

STATE OF LOUISIANA
Office of the Lieutenant Governor

January 22, 2004

Senate Donald E. Hines, M.D., President
Members of the Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear President and Members of the Senate:

In accordance with La. R.S. 36:6, I have appointed Ms. Angele Davis to the position of Secretary for the Department of the Culture, Recreation and Tourism effective January 13, 2004, and to remain in effect through the administration.

Mr. Phillip J. Jones previously held this position. Pursuant to Section (C)(1) of the aforementioned statute, Ms. Davis' contact information is as follows:

8008 Bluebonnet, Apt. 2-14
Baton Rouge, LA 70810

We respectfully submit this to you for consideration of confirmation.

Sincerely,
MITCHELL J. LANDRIEU
Lieutenant Governor

STATE OF LOUISIANA
Office of the Lieutenant Governor

January 22, 2004

Senate Donald E. Hines, M.D., President
Members of the Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear President and Members of the Senate:

In accordance with La. R.S. 36:6, I have appointed Matthew A. Jones to the position of Undersecretary for the Department of the Culture, Recreation and Tourism effective January 13, 2004, and to remain in effect through the administration.

Mr. Jones previously held this position and we are again seeking his confirmation. Pursuant to Section (C)(1) of the aforementioned statute, Mr. Jones' contact information is as follows:

1629 Carl Avenue
Baton Rouge, LA 70808

We respectfully submit this to you for consideration of confirmation.

Sincerely,
MITCHELL J. LANDRIEU
Lieutenant Governor

STATE OF LOUISIANA
Office of the Lieutenant Governor

January 22, 2004

Senate Donald E. Hines, M.D., President
Members of the Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear President and Members of the Senate:

In accordance with La. R.S. 36:6, I have appointed Stuart Johnson, Ph.D. to the position of Assistant Secretary for the Department of the Culture, Recreation and Tourism, Office of State Parks effective January 13, 2004, and to remain in effect through the administration.

Mr. Dwight Landreneau previously held this position. Pursuant to Section (C)(1) of the aforementioned statute, Dr. Johnson's contact information is as follows:

124 Donald Drive
Lafayette, LA 70503

We respectfully submit this to you for consideration of confirmation.

Sincerely,
MITCHELL J. LANDRIEU
Lieutenant Governor

STATE OF LOUISIANA
Office of the Lieutenant Governor

January 22, 2004

Senate Donald E. Hines, M.D., President
Members of the Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear President and Members of the Senate:

In accordance with La. R.S. 36:6, I have appointed Ms. Pam Breaux to the position of Assistant Secretary for the Department of the Culture, Recreation and Tourism, Office of Cultural Development effective January 13, 2004, and to remain in effect through the administration.

May 27, 2004

Ms. Laurel Wyckoff previously held this position. Pursuant to Section (C)(1) of the aforementioned statute. Ms. Breaux's contact information is as follows:

827 South Division Street
Lake Charles, LA 70601

We respectfully submit this to you for consideration of confirmation.

Sincerely,
MITCHELL J. LANDRIEU
Lieutenant Governor

STATE OF LOUISIANA
Office of the Lieutenant Governor

January 22, 2004

Senate Donald E. Hines, M.D., President
Members of the Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear President and Members of the Senate:

In accordance with La. R.S. 36:6, I have appointed Ms. Darienne Wilson to the position of Assistant Secretary for the Department of the Culture, Recreation and Tourism, Office of Tourism effective January 13, 2004, and to remain in effect through the administration.

Ms. Barbara Roy previously held this position. Pursuant to Section (C)(1) of the aforementioned statute. Ms. Wilson's contact information is as follows:

1918 Cake Trace Drive
Jackson, MS 39211

We respectfully submit this to you for consideration of confirmation.

Sincerely,
MITCHELL J. LANDRIEU
Lieutenant Governor

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 768—
BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:966.1, relative to additional default remedies; to provide for a notice of repossession; to provide for contents; to provide for fees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 27, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 5—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 15:145(B)(3), relative to contract attorneys for judicial district indigent defender boards; to delete the requirement that any contract attorney be a resident of the judicial district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 30—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 47:2183(C), relative to tax sales of immovable property; to provide for notice to the prior owner; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 33—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 14:93(A), relative to the crime of cruelty to juveniles; to provide for additional grounds for violations for the intentional or negligent exposure to a clandestine laboratory operation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 39—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Civil Code Article 1582.1, relative to donations; to provide for witnesses; to prohibit persons from witnessing testaments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 40—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Code of Civil Procedure Article 971(A)(3) and (B), relative to the special motion to strike; to provide for admissibility of the court's determination in evidence; to provide for attorney fees and costs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 42—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:35.3(B)(2), relative to the crime of domestic abuse battery; to define "household member" to include certain minor children; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 43—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 14:30(A)(9) and to amend and reenact R.S. 14:30(B), relative to homicide; to provide with respect to the crime of first degree murder; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 103—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:782(A)(1)(introductory paragraph) and (e) and to enact R.S. 13:782(A)(1)(f), relative to annual compensation of clerks of court; to provide for alternative population data for establishing the maximum compensation rate; to provide the maximum compensation rates in certain parishes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 134—
BY REPRESENTATIVES BRUCE, MONTGOMERY, BURRELL,
ROMERO, WHITE, AND WOOTON
AN ACT

To amend and reenact R.S. 15:283(A)(introductory paragraph), 440.2(A)(1) and (B), 440.4(A)(introductory paragraph) and (1) and (2), and 440.5(A)(introductory paragraph) and (6) and Children's Code Articles 322, 323(2), 324(A), 326(A)(introductory paragraph), 329(A)(introductory paragraph), 652(A)(4), and 1027(A)(4), relative to testimony of children; to authorize the taking of testimony outside of the courtroom from children fourteen years of age or younger in certain circumstances; to authorize the videotaped recordation

of a statement from children fourteen years of age or younger in certain circumstances; to delete provisions restricting the use of closed circuit television and videotaped statements to children who have been sexually or physically abused; to provide with respect to the admissibility of videotaped statements; to provide with respect to definitions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 134 by Representative Bruce

AMENDMENT NO. 1

In Senate Committee Amendment No. 16 proposed by the Senate Committee on Judiciary C and adopted by the Senate on May 26, 2004, on line 5, change "protective" to "protected"

AMENDMENT NO. 2

On page 1, line 15, following "15:283(A)" delete the remainder of the line, delete line 16 in its entirety, and on line 17, delete "(6)" and insert in lieu thereof the following: ", 440.1, 440.2, 440.4, the introductory paragraph of R. S. 15:440.5(A), 440.5(A)(4), (6), (8), (B), and (C), and 440.6"

HOUSE BILL NO. 137—
BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 15:541(1) and 542.1(H)(3)(b), relative to registration of sex offenders; to provide with respect to the length of time certain sex offenders are required to register; to provide for the definition of "aggravated offense"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 196—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(5)(b) and to repeal R.S. 27:306(A)(5)(d), relative to the Video Draw Poker Devices Control Law; to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 263—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:30.3 and 30.4, relative to illegal gaming activities; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or distribution of gaming materials intended for illegal use; to provide for penalties; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 263 by Representative Martiny

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 26, 2004, on line 2, following " page 1," insert "line 1," and, on line 3, at the end of the line, add "; and, on line 7, change "R. S. 27:30.3 and 30.4" to "27:30.3, 30.4 and 30.5"

HOUSE BILL NO. 335—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Sulphur; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 356—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:90.5, relative to offenses affecting general morality; to create the crime of unlawful play of certain gaming devices by persons under the age of twenty-one; to provide for definitions; to provide for penalties; to provide for detention for questioning; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 357—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 32:661.1(D), relative to operating a watercraft under the influence of alcohol or controlled dangerous substances; to provide for a definition of "public navigable waterways" for purposes of the implied consent law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 358—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:28(B)(3) and (J) and to enact R.S. 27:28(K), relative to suitability standards for gaming licenses, permits, or contracts; to remove disqualification based on current status of returns or payment of federal taxes; to provide for the consideration of the current status in filing applicable tax returns and the payment of taxes and penalties in suitability determinations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 363—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 35:191(C)(2)(b) and 191.1(B)(3) and to repeal R.S. 35:191.1(A)(4) and (C), relative to notary examinations; to provide for the administration of notary examinations by the secretary of state; to provide for dates for

administration; to provide for procedures for administration; to provide relative to the qualifications for taking the notary examination; to provide relative to the scheduling and administration of notary examinations; to repeal certain standards to be developed by the secretary of state; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 370—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 35:202, relative to non-attorney notaries; to provide relative to the timely filing of the annual report and payment of fees; to provide for the enforcement of untimely filing; to provide for the failure to file; to provide for notice; to provide for the suspension of the notarial commission; to provide for special commission status; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 391—

BY REPRESENTATIVES MURRAY AND MARCHAND

AN ACT

To amend and reenact R.S. 9:4821(1) and R.S. 13:2575(B)(2)(f), (C), and (F) and 2576 and to enact R.S. 13:4367, relative to the administrative adjudication of public health, housing, and environmental violations; to provide for applicability of certain provisions to municipalities with a population greater than four hundred fifty thousand; to provide relative to administrative hearings; to provide for waiver of collection or enforcement of liens; to provide for release given to subsequent purchasers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 532—

BY REPRESENTATIVES JOHNS, BOWLER, AND WALKER

AN ACT

To amend and reenact R.S. 9:315.16, relative to child support; to provide for the review of the child support guidelines; to provide for the membership of the committee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 541—

BY REPRESENTATIVES LAFLEUR AND DORSEY

AN ACT

To enact Chapter 3-C of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:555 and 556, relative to sexual assault; to create the Louisiana Sexual Assault Task Force; to provide for its membership; to provide for meetings; to provide for duties; to provide for reporting requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 677—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a) and (e) and Code of Civil Procedure Article 1734.1(A), relative to civil jury trials; to provide for the expenses related to jury trials; to provide for the payment of jurors; to provide for the cash deposit; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 736—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 56:31 and 31.1, relative to class one violations; to provide for penalties for class one violations of the hunting and fishing laws; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 762—

BY REPRESENTATIVES WINSTON AND DURAND

AN ACT

To amend and reenact Children's Code Article 685(B), relative to children in need of care; to provide for compliance with federal provisions in cost of care and treatment matters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 791—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Civil Procedure Article 893(A)(1), relative to pleadings; to provide for the pleading of damages; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 885—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 30:2394(E), relative to the water quality; to provide for permit requirements for irrigating with water from certain sources; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 896—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:30.3 and to repeal R.S. 27:114 and 365(5), relative to the monitoring and reading of certain electronic gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 909—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.4, relative to crime stoppers organizations and the additional cost of court which is imposed on offenders who are convicted of criminal and traffic violations and which is used to fund certain operations of those organizations; to provide for the certification of crime stoppers organizations by sheriffs and chiefs of police; to provide for the payment of the funds derived from the additional cost of court to certified crime stoppers organizations; to provide for the use of those funds; to provide definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 925—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 15:542(B)(6), relative to notification by sex offenders; to provide with respect to posting of notices in certain places of business; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 971—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 13:756.12, relative to establishing a branch office of the clerk of court in DeSoto Parish; to authorize the clerk of court of the parish of DeSoto to establish a branch office in Stonewall; to provide for duties and functions of the branch office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1132—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 40:966(E)(5), relative to possession of marijuana; to provide that prior convictions of distribution, dispensing, or possession with intent to distribute or dispense marijuana may serve as predicate offenses for penalties for multiple offenders; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1290—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 37:930(G), relative to certified registered nurse anesthetists; to provide for administering anesthetic; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1425—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 39:198(F), relative to contracts for the Video Gaming Monitoring System; to authorize the Department of Public Safety and Corrections to enter into a multiyear contract for up

to ten years for the monitoring of video draw poker devices as required by law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1430—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 37:1483 and to enact R.S. 9:5608, relative to home inspectors; to provide a prescriptive period for actions against home inspectors; to provide for applicability of provisions; to provide for exceptions; to exempt certain persons from licensure requirements under the Louisiana Home Inspector Licensing Law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1431—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1545—

BY REPRESENTATIVES MARTINY AND BRUCE

AN ACT

To amend and reenact R.S. 27:311(H) and (K)(4), relative to video draw poker device fees; to provide that processing fees are collected annually; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1579—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 26:71.1(4)(d) and R.S. 27:306(A)(8), relative to the operation of video draw poker devices at certain golf courses; to provide with respect to the licensing requirements for the operation of video draw poker devices at certain golf courses; to provide relative to the sale of alcoholic beverages at certain golf courses; to provide for the issuance of a conditional alcoholic beverage permit to certain golf courses; to provide for the continued operation of video draw poker devices at certain golf courses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1697 (Substitute for House Bill No. 153 by Representative Faucheux)—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 99—

BY SENATOR FIELDS

A RESOLUTION

To commend and congratulate participants of the Louisiana Leadership Institute upon their graduation from high school and extend best wishes for their future endeavors.

On motion of Senator Fields, the resolution was read by title and adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT AND ALARIO AND SENATORS MOUNT AND HEITMEIER

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making

appropriations from certain sources; and to provide for related matters.

HOUSE BILL NO. 3—

BY REPRESENTATIVE HAMMETT AND SENATOR MOUNT
AN ACT

To enact the Omnibus Bond Authorization Act of 2004, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

HOUSE BILL NO. 1628—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide for related matters.

HOUSE BILL NO. 1482—

BY REPRESENTATIVES ALARIO, TRICHE, CAZAYOUX, GALLOT, LAFLEUR, MURRAY, SALTER, AND TOWNSEND AND SENATORS CHAISSON, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds for Fiscal Year 2004-2005 to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

HOUSE BILL NO. 1542—

BY REPRESENTATIVES SALTER, BROOME, ALARIO, ARNOLD, AND LANCASTER AND SENATORS HINES, BAJOE, FIELDS, HEITMEIER, AND JONES
AN ACT

To appropriate the sum of Fifty-six Million Seven Hundred Eighty-four Thousand Four Hundred Seventy-six and No/100 (\$56,784,476.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Nine Million One Hundred Thirty-seven Thousand Four Hundred Sixty-four and No/100 (\$9,137,464.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

HOUSE BILL NO. 619—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES
AN ACT

To amend and reenact R.S. 17:3129.6(B), relative to certain state funds; to provide for the use of monies appropriated from the Higher Education Initiatives Fund; to provide for the transfer of certain monies to the Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1715 (Substitute for House Bill No. 328 by Representative Durand)—

BY REPRESENTATIVES DURAND AND THOMPSON
AN ACT

To enact R.S. 36:259(II), 919.7 and Subpart E of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1236.15 through 1236.30, relative to the practice of bio-recovery technicians; to provide for the regulation and certification of bio-recovery technicians; to provide for legislative intent; to provide for definitions; to provide for the creation of the Louisiana Bio-Recovery Technician Certification Commission and its domicile, membership, terms of office, vacancies, officers, meetings, and powers and duties; to provide for qualifications for commission members; to provide for the certification qualifications and examination; to provide for continuing education requirements; to provide for reciprocity; to provide for renewal of certification; to provide for fees; to provide for causes for suspension, revocation, or refusal to grant a certificate; to provide for penalties for violations; to provide for injunctions; to provide for surrender of a certificate; to provide for compliance with the state sanitary code; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 1—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT AND ALARIO AND SENATORS MOUNT AND HEITMEIER
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 3—

BY REPRESENTATIVE HAMMETT AND SENATOR MOUNT
AN ACT

To enact the Omnibus Bond Authorization Act of 2004, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 619—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES
AN ACT

To amend and reenact R.S. 17:3129.6(B), relative to certain state funds; to provide for the use of monies appropriated from the Higher Education Initiatives Fund; to provide for the transfer of certain monies to the Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1482—

BY REPRESENTATIVES ALARIO, TRICHE, CAZAYOUX, GALLOT, LAFLEUR, MURRAY, SALTER, AND TOWNSEND AND SENATORS CHAISSON, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds for Fiscal Year 2004-2005 to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1542—

BY REPRESENTATIVES SALTER, BROOME, ALARIO, ARNOLD, AND LANCASTER AND SENATORS HINES, BAJOE, FIELDS, HEITMEIER, AND JONES
AN ACT

To appropriate the sum of Fifty-six Million Seven Hundred Eighty-four Thousand Four Hundred Seventy-six and No/100 (\$56,784,476.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Nine Million One Hundred Thirty-seven Thousand Four Hundred Sixty-four and No/100 (\$9,137,464.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1628—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1715 (Substitute for House Bill No. 328 by Representative Durand)—

BY REPRESENTATIVES DURAND AND THOMPSON
AN ACT

To enact R.S. 36:259(II), 919.7 and Subpart E of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1236.15 through 1236.30, relative to the practice of bio-recovery technicians; to provide for the regulation and certification of bio-recovery technicians; to provide for legislative intent; to provide for definitions; to provide for the creation of the Louisiana Bio-Recovery Technician Certification Commission and its domicile, membership, terms of office, vacancies, officers, meetings, and powers and duties; to provide for qualifications for commission members; to provide for the certification qualifications and examination; to provide for continuing education requirements; to provide for reciprocity; to provide for renewal of certification; to provide for fees; to provide for causes for suspension, revocation, or refusal to grant a certificate; to provide for penalties for violations; to provide for injunctions; to provide for

surrender of a certificate; to provide for compliance with the state sanitary code; to provide for exceptions; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 79—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Louisiana Health Works Commission to convene a task force to study the status of salaries of postsecondary education faculty in nursing and allied health occupations, relative to corresponding salaries of other faculty, nurses, and allied health practitioners in the private sector and to submit a written report of its findings and recommendations to improve the level of faculty salaries for these individuals to the Louisiana Health Works Commission, the Louisiana Board of Regents, the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education prior to the convening of the 2005 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVES JANE SMITH AND CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana School Boards Association, the Louisiana Association of School Superintendents, and the Louisiana Association of School Executives to make available without delay to each of their members copies of Opinion No. 03-0351 issued November 13, 2003, by the office of the state attorney general confirming the authority of local public school boards to adopt regulations concerning the possession by students of cellular telephones while students are in school, on school grounds, and in school buses, provided such regulations meet certain standards and guidelines, the letter requesting the opinion, and this Resolution.

HOUSE CONCURRENT RESOLUTION NO. 166—

BY REPRESENTATIVES WALKER, E. GUILLORY, MURRAY, AND ODINET

A CONCURRENT RESOLUTION

To create the Louisiana Commission on Employment of Mental Health Consumers to study and develop a plan to address barriers that prevent persons with mental illness from seeking, obtaining, and maintaining employment.

HOUSE CONCURRENT RESOLUTION NO. 195—

BY REPRESENTATIVES STRAIN AND THOMPSON

A CONCURRENT RESOLUTION

To memorialize congress to oppose the Australian Free Trade Agreement (AUSFTA) and other free trade agreements which are harmful to American dairy producers.

HOUSE CONCURRENT RESOLUTION NO. 201—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request retailers within the state of Louisiana to promote Louisiana dairy products and value-added products within the Louisiana dairy industry.

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To create a task force to explore the feasibility of, and model policies relative to, the development of a marine aquaculture industry in the Gulf of Mexico that utilizes offshore oil and gas platforms for culturing marine organisms.

HOUSE CONCURRENT RESOLUTION NO. 25—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana High School Athletic Association to prepare warnings regarding dietary supplements containing ephedra for distribution at high schools in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVES HONEY AND QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left turn lane on Louisiana Highway 19 at Cunard Avenue.

HOUSE CONCURRENT RESOLUTION NO. 123—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, to distribute pertinent forms and information to activated military personnel regarding their motor vehicles, including affidavits of nonuse and surrender of license plates.

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to maintain its timeline to complete the new Florida Avenue Bridge, which is part of the Transportation Infrastructure Model for Economic Development program, by 2010.

HOUSE CONCURRENT RESOLUTION NO. 160—

BY REPRESENTATIVE BURRELL

A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact federal legislation prohibiting the use of traffic signal preemption devices by the motoring public.

HOUSE CONCURRENT RESOLUTION NO. 228—

BY REPRESENTATIVES QUEZAIRE, HUNTER, AND PIERRE AND SENATOR CRAVINS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the section of Interstate 49 in St. Landry Parish between Sunset and Washington as the Charles L. "Doc" Hudson Highway.

HOUSE CONCURRENT RESOLUTION NO. 231—

BY REPRESENTATIVES LAMBERT, QUEZAIRE, AND SMILEY AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend the Dutchtown High School Baseball Team for winning the Class 4A State Baseball Championship.

HOUSE CONCURRENT RESOLUTION NO. 232—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Johnnie Mae Williams.

HOUSE CONCURRENT RESOLUTION NO. 233—
BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To commend Lawrence Callender upon his receipt of the 2004 Louisiana Emergency Preparedness Association (LEPA) Award.

HOUSE CONCURRENT RESOLUTION NO. 234—
BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Katherine Hall.

HOUSE CONCURRENT RESOLUTION NO. 194—
BY REPRESENTATIVES HAMMETT AND ALARIO

A CONCURRENT RESOLUTION

To indicate legislative intent for the remaining four years of the five-year capital outlay program.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana High School Athletic Association to prepare warnings regarding dietary supplements containing ephedra for distribution at high schools in the state of Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 79—
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Louisiana Health Works Commission to convene a task force to study the status of salaries of postsecondary education faculty in nursing and allied health occupations, relative to corresponding salaries of other faculty, nurses, and allied health practitioners in the private sector and to submit a written report of its findings and recommendations to improve the level of faculty salaries for these individuals to the Louisiana Health Works Commission, the Louisiana Board of Regents, the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education prior to the convening of the 2005 Regular Session.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 123—
BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, to distribute pertinent forms and information to activated military personnel regarding

their motor vehicles, including affidavits of nonuse and surrender of license plates.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 132—
BY REPRESENTATIVES HONEY AND QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left turn lane on Louisiana Highway 19 at Cunard Avenue.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 145—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to maintain its timeline to complete the new Florida Avenue Bridge, which is part of the Transportation Infrastructure Model for Economic Development program, by 2010.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVE BURRELL

A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact federal legislation prohibiting the use of traffic signal preemption devices by the motoring public.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 166—
BY REPRESENTATIVES WALKER, E. GUILLORY, MURRAY, AND ODINET

A CONCURRENT RESOLUTION

To create the Louisiana Commission on Employment of Mental Health Consumers to study and develop a plan to address barriers that prevent persons with mental illness from seeking, obtaining, and maintaining employment.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 172—
BY REPRESENTATIVES JANE SMITH AND CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana School Boards Association, the Louisiana Association of School Superintendents, and the Louisiana Association of School Executives to make available without delay to each of their members copies of Opinion No. 03-0351 issued November 13, 2003, by the office of the state attorney general confirming the authority of local public school boards to adopt regulations concerning the possession by students of cellular telephones while students are in school, on school grounds, and in school buses, provided such regulations meet certain standards and guidelines, the letter requesting the opinion, and this Resolution.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 176—
BY REPRESENTATIVE FRITH**A CONCURRENT RESOLUTION**

To create a task force to explore the feasibility of, and model policies relative to, the development of a marine aquaculture industry in the Gulf of Mexico that utilizes offshore oil and gas platforms for culturing marine organisms.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 194—
BY REPRESENTATIVES HAMMETT AND ALARIO**A CONCURRENT RESOLUTION**

To indicate legislative intent for the remaining four years of the five-year capital outlay program.

On motion of Senator Mount, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE CONCURRENT RESOLUTION NO. 195—
BY REPRESENTATIVES STRAIN AND THOMPSON**A CONCURRENT RESOLUTION**

To memorialize congress to oppose the Australian Free Trade Agreement (AUSFTA) and other free trade agreements which are harmful to American dairy producers.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 201—
BY REPRESENTATIVE THOMPSON**A CONCURRENT RESOLUTION**

To urge and request retailers within the state of Louisiana to promote Louisiana dairy products and value-added products within the Louisiana dairy industry.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 228—
BY REPRESENTATIVES QUEZAIRE, HUNTER, AND PIERRE AND SENATOR CRAVINS**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to designate the section of Interstate 49 in St. Landry Parish between Sunset and Washington as the Charles I. "Doc" Hudson Highway.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 231—
BY REPRESENTATIVES LAMBERT, QUEZAIRE, AND SMILEY AND SENATOR AMEDEE**A CONCURRENT RESOLUTION**

To commend the Dutchtown High School Baseball Team for winning the Class 4A State Baseball Championship.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 232—
BY REPRESENTATIVE DORSEY**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Johnnie Mae Williams.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 233—
BY REPRESENTATIVE SMILEY**A CONCURRENT RESOLUTION**

To commend Lawrence Callender upon his receipt of the 2004 Louisiana Emergency Preparedness Association (LEPA) Award.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 234—
BY REPRESENTATIVE DORSEY**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Katherine Hall.

The resolution was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 26—
BY REPRESENTATIVES BOWLER AND QUEZAIRE
AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), and (ii)(aa), (cc), (dd)(I), and (ee), relative to driver's license fees; to provide for continuation of fees and provisions for use of those fees beyond the date for termination of certain additional fee; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 290—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 47:463.44(A), relative to special prestige license plates; to provide relative to issuance of the Louisiana educators special prestige license plate; to provide relative to eligibility requirements for issuance of such plate; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 493—
BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 17:1170 and 1200, relative to leaves of absence for certain employees of city, parish, and other local public school boards; to include guidance counselors who hold valid professional ancillary certificates in counseling issued by the state Department of Education in the definitions of persons eligible for certain sabbatical leave and sick leave benefits provided by law; to provide an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 664—

BY REPRESENTATIVES HUTTER AND THOMPSON
A JOINT RESOLUTION

Proposing to add Article VIII, Section 5(D)(6) of the Constitution of Louisiana, to require the Board of Regents to develop and implement a common course designation and numbering system; to require full implementation of the system by the beginning of the 2005-2006 academic year; to provide relative to the awarding of credits and recognition to students transferring among public postsecondary education institutions; to provide for penalties for noncompliance by any postsecondary education management board or institution; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 797—

BY REPRESENTATIVES TUCKER, K. CARTER, ERDEY, FUTRELL, JOHNS, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DURAND, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LANCASTER, MARCHAND, MARTINY, MCDONALD, MURRAY, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SHEPHERD, GARYSMITH, JACKSMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, WALKER, WALSWORTH, AND WHITE
AN ACT

To enact R.S. 22:1425, relative to automobile liability insurance; to provide for active military personnel; to provide for premium discounts; to provide for rebates; to provide for rules and regulations; to provide for the authority of the commissioner of insurance; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 843—

BY REPRESENTATIVE TUCKER
AN ACT

To enact Part X-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:421 and 422, relative to health insurance issuers; to provide for limitations on the obligations of such issuers; to provide for rules and regulations to be adopted by the Department of Insurance; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 872—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:93.10(2)(a), relative to alcoholic beverages; to provide relative to the unlawful sale, purchase and possession of alcoholic beverages; to provide with respect to the definition of public possession; to prohibit persons under the age of eighteen from possessing alcoholic beverages; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 881—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:408(A)(8)(introductory paragraph) and (b), relative to issuance of drivers' licenses; to provide relative to knowledge and skills test specifications for issuance of certain classes of drivers' licenses; to exempt drivers of certain vehicles from test specifications; to provide relative to qualifications for such exemptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 903—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:1311(D)(introductory paragraph), (1)(introductory paragraph) and (a), and (2)(a), relative to vehicle inspections; to provide for exemptions from inspection requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 993—

BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(vii), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to extend the authority of such boards relative to the establishment of tuition and mandatory fee amounts for resident students; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1599—

BY REPRESENTATIVE BAUDOIN
AN ACT

To amend and reenact R.S. 32:196, relative to traffic violations; to prohibit certain persons or means of conveyance attaching to vehicles upon a highway; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1620—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 46:2583(A)(1) and to enact R.S. 47:463.4.3, relative to mobility impaired persons; to prohibit the manufacture, sale, possession, or use of counterfeit mobility-impaired parking placards; to provide relative to penalties for violations; to dedicate a certain portion of fines; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1712 (Substitute for House Bill No. 917 by Representative Baldone)—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 32:415(B) and 415.1(A)(1)(introductory paragraph), relative to operating a vehicle with a suspended, revoked, or canceled license; to require courts to order certain licensees to install ignition interlock devices; to provide for the period of time in which the ignition interlock device shall remain on the vehicle; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1713 (Substitute for House Bill No. 215 by Representative Gray)—

BY REPRESENTATIVES GRAY, ALEXANDER, CROWE, DOWNS, FANNIN, HONEY, KENNEY, T. POWELL, RITCHIE, JANE SMITH, AND TRAHAN

AN ACT

To repeal R.S. 17:52.2, 171, 172, 173, 335, 429, and 430, and Subparts J and K of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:349.1 through 349.5 and R.S. 17:350.2 through 350.14, respectively, relative to the operation and control of schools; to repeal certain unconstitutional provisions relative to the operation and control of schools and other obsolete provisions relative to the operation of schools and trade or vocational schools on a segregated basis; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1716 (Substitute for House Bill No. 399 by Representative Johns)—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:3078 and to enact R.S. 22:3080(E), relative to medical necessity review; to revise provisions relative to informal reconsideration and second level review of adverse determinations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

Senator Bajoie in the Chair

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 227—

BY REPRESENTATIVE PINAC

A CONCURRENT RESOLUTION

To commend the Honorable John D. Travis on the occasion of his retirement for a lifetime of dedicated public service.

The resolution was read by title. Senator Marionneaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Cheek	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Ellington	Lentini	

Total—35

NAYS

Total—0

ABSENT

Mr. President	Chaisson
Boissiere	Kostelka
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 230—

BY REPRESENTATIVES DORSEY, DANIEL, AND FUTRELL

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death in the line of duty of Lieutenant Vickie Salassi Wax of the Baton Rouge Police Department.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fields	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Cain	Heitmeier	Mount
Cheek	Holden	Nevers
Cravins	Hollis	Romero
Dardenne	Irons	Schedler
Duplessis	Jackson	Smith
Dupre	Jones	Theunissen
Ellington	Kostelka	Ullo

Total—36

NAYS

Total—0

ABSENT

Mr. President

Boissiere

Chaisson

Total—3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Holden, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

HOUSE BILL NO. 691—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 23:215(A), (B), and (D) and to enact R.S. 23:215(E) and (F), relative to the employment of minors; to provide work hours for minors; to provide for written parental consent; to define "school day"; to provide for minors with equivalency diplomas; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 821—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1163(B) and to enact R.S. 23:1163(D), relative to workers' compensation; to provide for civil penalties against employers; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 907—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1034.2(C), relative to workers' compensation medical reimbursement schedule; to allow the director to collect charge information; to provide for guidelines; to provide for confidentiality; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1356—

BY REPRESENTATIVE SHEPHERD

AN ACT

To enact R.S. 23:1205(C), relative to workers' compensation; to require health care benefits providers to pay medical expenses under certain circumstances; to provide for penalties and attorney fees; to provide for the recovery of paid medical expenses; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MELVIN "KIP" HOLDEN
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

HOUSE BILL NO. 63—

BY REPRESENTATIVES ERDEY AND SMILEY

AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the town of Springfield to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 102—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 33:1448.1, relative to the payment of group insurance premiums for retired sheriffs and deputy sheriffs in Bossier Parish; to create a permanent fund; to require the depositing of certain monies into the fund; to provide for investment of monies in the fund; to authorize the withdrawal of earnings; to provide for limitations on appropriations from the fund; to provide for audits of the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 175—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 33:2711.20, relative to the town of Lake Providence; to authorize the governing authority of the town to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 251—BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 33:4574.13(A) and (C)(1)(e), relative to the Madison Parish Tourism Commission; to authorize the commission to levy a hotel occupancy tax without voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 270—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(3), relative to the Lafourche Parish Tourist Commission; to provide relative to the hotel occupancy tax levied by the commission; to provide relative to the definition of the term "hotel" as it applies in Lafourche Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 417—BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 33:9078, relative to the Kenilworth Improvement District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 948—BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 33:1704.2(C), relative to the marshal of the city of Hammond; to authorize the marshal to use fees of office to defray operational expenses of his office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 952—BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 46:1053(K)(2), relative to Hospital Service District No. 1 of the parish of Vermilion; to increase the maximum per diem authorized to be paid to members of the board of commissioners of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 955—BY REPRESENTATIVES DURAND, DARTEZ, FRITH, ROMERO,
AND JACK SMITH AND SENATORS HINES AND ROMERO
AN ACT

To amend and reenact R.S. 40:2267.4 and to enact R.S. 40:2267, relative to the Acadiana Criminalistics Laboratory District; to create the district as a taxing district for the purposes of funding the criminalistics laboratory within the district; to provide for

the governing body and boundaries of the district; to provide for the power to levy and collect taxes subject to approval of the voters of the district; to provide for additional powers of the Acadiana Criminalistics Laboratory Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 967—BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 33:9038.25, relative to the city of Lake Charles; to authorize the governing authority of the city to create a special taxing district; to provide relative to the purpose and boundaries of the district; to provide relative to the governance, powers, and duties of the district; to provide relative to taxes authorized to be levied by the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 968—BY REPRESENTATIVE FANNIN
AN ACT

To enact Chapter 25-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1215.1 through 1215.6, relative to museum boards; to authorize the governing authority of the parish of Jackson to create a museum board; to provide relative to the purpose, membership, and powers of the board; to provide relative to board funding; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1119—BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 33:2551.1, relative to the municipal fire and police civil service; to provide with respect to promotional employment lists of certain municipal fire and police civil service boards; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1134—BY REPRESENTATIVES JACKSON AND THOMPSON
AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish to designate sales tax areas; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1150—BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact Paragraph 21(k) of Article XIV, Section 15.1 of the Louisiana Constitution of 1921, made statutory by Article X, Section 18 of the Louisiana Constitution of 1974, and R.S. 33:2491.3, relative to the municipal fire and police civil service;

to provide with respect to promotional employment lists of municipal fire and police civil service boards; to provide an exception to Article XIV, Section 15.1, Paragraph 21 of the Louisiana Constitution of 1921, made statutory by the provisions of Article X, Section 18 of the Louisiana Constitution of 1974; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1239—

BY REPRESENTATIVE DOWNS
AN ACT

To enact Subpart B-34 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.621.1, to create the Union Parish Railroad District; to provide relative to the purpose and boundaries of the district; to provide relative to the governance, powers, and duties of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1313—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S.33:9033.4, relative to special districts; to create the City of Bastrop Special District; to provide for the powers and duties of the district, including the power to engage in tax increment financing; to provide for the governance of the district; to provide for the boundaries of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1583—

BY REPRESENTATIVE GRAY
AN ACT

To enact R.S. 40:506(D), relative to termination of tenancy by local housing authorities; to prohibit a local housing authority from terminating the tenancy of a household or a resident or terminating any other assistance provided by the authority under certain circumstances; to provide relative to guests and invitees; to provide relative to definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1660—

BY REPRESENTATIVES BROOME, JACKSON, AND DANIEL
AN ACT

To amend and reenact the heading of Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950 and R.S. 33:9038.1(3), relative to cooperative economic development and tax increment financing; to change population restrictions in the definition of a local governmental subdivision to which certain provisions are applicable; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

May 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

HOUSE BILL NO. 6—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 17:85.5, relative to naming a gymnasium; to authorize the parish school board in certain parishes to name a gymnasium in honor of a former school board member; to provide limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 32—

BY REPRESENTATIVES MARTINY, BALDONE, AND BRUNEAU
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 177—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH
AN ACT

To enact R.S. 17:2138(C), to provide for the applicability of certain requirements for admission to Louisiana public colleges and universities, including minimum scores on specified tests; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 486—

BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:3098(B)(2) and to repeal R.S. 17:3095(A)(1)(c), relative to the Louisiana Tuition Trust Authority; to provide for the payment of refunds upon termination of an education savings account; to repeal the requirement that education savings accounts shall be invested in either fixed earnings or variable earnings, but not both; to provide for an effective date; and to provide for related matters

Reported favorably.

HOUSE BILL NO. 899—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 17:3390(B)(introductory paragraph), (2), and (3) and (D), relative to nonprofit corporations which support public higher education institutions; to provide that the definition of a nonprofit corporation that is not public or quasi public includes certain nonprofit corporations whose primary purpose is to finance the design, construction, renovation, or equipping of facilities; to provide relative to auditing of such nonprofit corporations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHRIS ULLO
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 336—

BY SENATOR MCPHERSON
AN ACT

To enact Chapter 50 of Title 37 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3371 through 3384.10, and to repeal R.S. 37:3371 through 3384, relative to addictive disorder professionals; to provide for definitions; to provide for categories of addictive disorder professionals; to provide for the Louisiana Board of Addictive Disorder Professionals; to provide for the composition of the board; to provide for the duties and responsibilities of the board; and to provide for related matters.

Reported by substitute by the Committee on Health and Welfare. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill No. 336 by Senator McPherson)

BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 17: 403(C), R.S. 36:258(E)(1), and R.S. 46:2503(A) and to enact Chapter 50-A of Title 37 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3386 through 3390.5, and to repeal R.S. 36:259(E)(19), R.S. 46:2503(E), and Chapter 50 of Title 37 of Louisiana Revised Statutes of 1950, comprised of R.S. 37:3371 through 3384, relative to addictive disorder professionals; to provide for definitions; to provide for categories of addictive disorder professionals; to provide for powers and duties of the Department of Health and Hospitals, office for addictive disorders; to provide for licensure, certification, and registration of addictive disorder counselors and professionals; to authorize the department to impose application fees; to provide with respect to penalties; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:403(C) is hereby amended and reenacted to read as follows:

§403. Section on drug free schools and communities; program; section administrator; counselors

* * *

C.(1) There shall be ~~alcohol, drug, and substance abuse counselors~~ **addictive disorders professionals** in every school system who regularly visit every secondary school and elementary school at a maximum of four schools to one counselor, for the purpose of counseling students who have been identified as having an alcohol, drug, or substance abuse problem. The duties of each counselor shall be coordinated by the section on drug free schools and communities and each employing parish or city school system.

(2) Qualifications for ~~alcohol, drug, and substance abuse counselors~~ **addictive disorders professionals** shall be determined, implemented, and enforced by the ~~state board~~ **Department of Health and Hospitals, office for addictive disorders**.

Section 2. R.S. 36:258(E)(1) is hereby amended and reenacted to read as follows:

§258. Offices; purposes and functions

* * *

E.(1) The office for addictive disorders shall perform the functions of the state relating to the care, training, treatment, and education of those suffering from addictive disorders and the prevention of addictive disorders. It shall administer residential and outpatient care facilities of the state for patients suffering from addictive disorders and administer the addictive disorders programs in the state. **It shall regulate the practice of all addictive disorders professionals and counselors.** It shall also provide a twenty-four-hour, toll-free telephone service to provide information regarding available services to assist with compulsive or problem gambling behavior.

* * *

Section 3. Chapter 50-A of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:3386 through 3390.5 is hereby enacted to read as follows:

CHAPTER 50-A. ADDICTIVE DISORDERS PRACTICE ACT
Chapter 50-A is all proposed new law.

§3386. Short title

R.S. 37:3386 is all proposed new law.

This Chapter shall be known and may be cited as the "Addictive Disorders Practice Act."

§3386.1. Definitions

R.S. 37:3386.1 is all proposed new law.

As used in this Chapter the following definitions shall apply:

(1) "Addictive disorder" means the repeated pathological use of substances including but not limited to alcohol, drugs, or tobacco, or repeated pathological compulsive behaviors including but not limited to gambling which cause physical, psychological, emotional, economic, legal, social or other harms to the individual afflicted with the addiction or to others affected by the individual's affliction. As used herein "addictive disorder" shall include not only those instances where withdrawal from or tolerance to the substance or behaviors are present but also those instances involving use and abuse of substances.

(2) "Addiction counselor" means any person who is licensed or certified or registered in accordance with the provisions of this Chapter and procedures established by the department and who by means of his special knowledge acquired through formal education or practical experience is qualified to provide addiction counseling services to those individuals afflicted with or suffering from an

addictive disorder or certain co-occurring disorders. The counseling services provided shall be those which utilize KSA's or core functions, as determined by the department to be appropriate for the addictive disorder or disorders presented.

(3) "Board" means the Louisiana State Board of Certification for Substance Abuse Counselors.

(4) "Certified clinical supervisor" means any person holding the necessary credential of licensed, certified, or registered addiction counselor who has satisfied the requirements established by the department to provide clinical supervision.

(5) "Clinical supervision" means the interpersonal tutorial relationship between a certified clinical supervisor and other licensed, certified, or registered addiction counseling professionals centered on the goals of skill development and professional growth through learning and practicing. Through observation, evaluation, and feedback, clinical supervision enables the supervisee to acquire the competence needed to deliver effective patient care while fulfilling professional responsibility. Clinical supervision is understood to emphasize improvement of the counseling skills and effectiveness of the supervisee and is to be distinguished from administrative supervision.

(6) "Compulsive gambling counselor" means any person holding a necessary credential as a licensed, certified or registered addiction counselor, or a necessary credential as a qualified mental health professional, who is certified by the department, in accordance with the provisions of this Chapter, as possessing special knowledge acquired through formal education and clinical experience and thus is qualified to provide gambling addiction counseling to persons who have a gambling addiction disorder or who exhibit gambling addictive behaviors.

(7) "Co-occurring disorder" means a disorder in which individuals have at least one psychiatric disorder as well as an addictive disorder. While these disorders may interact differently in any one person at least one disorder of each type can be diagnosed independently of the other.

(8) "Core functions" means the screening, intake, orientation, assessment, treatment planning, counseling, case management, crisis intervention, client education, referral, reports, and record-keeping activities associated with counseling and consultation with other credentialed professionals.

(9) "Counselor-in-training" or "CIT" means any person who has not yet met the qualification to become a licensed, certified or registered counselor, but who has made application to the department in accordance with the provisions of this Chapter and procedures established by the department.

(10) "Department" means the Department of Health and Hospitals, office for addictive disorders.

(11) "KSA's" means the Knowledge, Skills, and Attitudes designated by the department as being necessary for effective addiction counseling and required by the department to be utilized by addictive disorders counselors in providing addiction counseling services.

(12) "Prevention" means those activities and services that prevent, reduce, or stabilize the incidence of addictive disorders and thereby prevent, reduce or stabilize the prevalence of addictive disorders. The activities contemplated by this definition include services to those at risk of developing an addictive disorder as well as those individuals who, though not necessarily at risk of developing an addictive disorder, are none the less appropriate for services. In addition, prevention shall be understood to include educational

programs and activities that are designed to raise the awareness of and encourage healthy behaviors.

(13) "Prevention specialist" means any person who, by means of special knowledge through formal education or practical experience, is qualified to provide prevention intervention services and who is certified or registered as such in accordance with provisions of this Chapter and procedures established by the department.

(14) "Prevention specialist-in-training" or "PSIT" means any person who has not yet met the qualification to become a certified prevention specialist, but who has made application to the department in accordance with the provisions of this Chapter and procedures established by the department.

(15) "Qualified mental health professional" means:

(a) A psychiatrist licensed pursuant to R.S. 37:1261 et seq.

(b) A psychologist licensed pursuant to R.S. 37:2351 et seq.

(c) A licensed clinical social worker licensed pursuant to R.S. 37:2701 et seq.

(d) A mental health counselor licensed pursuant to R.S. 37:1101 et seq.

(16) "Substance abuse" means the repeated pathological use of drugs, including alcohol, which causes physical, psychological, economic, legal or social harm to the individual user or to others affected by the user's behavior.

§3387. Licensed addiction counselor

R.S. 37:3387 is all proposed new law.

A. The practice of addiction counseling within the meaning and intent of this Chapter shall consist of the rendering of professional guidance to individuals suffering from an addictive disorder to assist them in gaining an understanding of the nature of their disorder and developing and maintaining a responsible life style. The licensed addiction counselor may practice autonomously, independent of any other professional association or supervision. The scope of practice, in addition to any other provision herein shall include making referrals to appropriate professionals, providing counseling to family members and, as appropriate, to others affected by the individual's addictive disorder, and the utilization of KSA and core functions.

B. The department shall adopt and promulgate rules which govern licensed addiction counselors in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a licensed addiction counselor shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, not less than forty-five days prior to any examination, notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a licensed addiction counselor each candidate who:

(1) Possesses a master's degree from an accredited institution of higher education. The degree shall be in a human services or behavioral science discipline, or such other discipline or disciplines as the department may deem appropriate.

(2) Is a legal resident of the United States at least twenty-one years of age.

(3) Is not in violation of any ethical standards subscribed to by the department.

(4) Is not now and has not been a substance abuser or compulsive gambler during the previous two years.

(5) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to, a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate shall sign a form prescribed by the department authorizing the department to obtain a criminal history and to conduct a criminal background check.

(6) Demonstrates professional competence by passing a written and oral examination and making a case presentation:

(a) The department shall determine the scope and administration of the examination.

(b) The department may provide for circumstances under which a candidate who fails either examination, but who meets all other requirements, may retake the examination.

(c) Each application for examination shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application and administering the examination, but in no event shall the fee be less than one hundred dollars nor more than two hundred dollars.

(d) The department shall prescribe the scope and manner of the case presentation required herein.

(7) Documents the completion ethics training, as prescribed by the department.

(8) Signs a form of professional and ethical accountability and responsibility, as prescribed by the department.

(9) Documents the completion of supervised clinical hours, under conditions as shall be determined by the department. The department may require that such supervision be conducted by a certified clinical supervisor.

(10) Provides three letters of recommendation as prescribed by the department.

(11) The department may prescribe such other qualifications and requirements for licensed addiction counselors as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter.

§3387.1. Certified addiction counselor

R.S. 37:3387.1 is all proposed new law.

A. The practice of addiction counseling within the meaning and intent of this Chapter shall consist of the rendering of professional guidance to individuals suffering from an addictive disorder to assist them in gaining an understanding of the nature of their disorder and developing and maintaining a responsible life style. The certified addiction counselor may not practice independently. The certified addiction counselor must maintain an association with a licensed addiction counselor in the manner prescribed by the department. The scope of practice, in addition to any other provision herein shall include making referrals to appropriate professionals, providing counseling to family members and, as appropriate, to others affected by the individual's addictive disorder, and the utilization of KSA and core functions.

B. The department shall adopt and promulgate rules which govern certified addiction counselors in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a certified addiction counselor shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, not less than forty-five days prior to any examination, notify each

candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a certified addiction counselor each candidate who:

(1) Possesses a bachelor's degree from an accredited institution of higher education. The degree shall be in a human services or behavioral science discipline, or such other discipline or disciplines as the department may deem appropriate.

(2) Is a legal resident of the United States at least twenty-one years of age.

(3) Is not in violation of any ethical standards subscribed to by the department.

(4) Is not now and has not been a substance abuser or compulsive gambler during the previous two years.

(5) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to, a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(6) Demonstrates professional competence by passing a written and oral examination, and making a case presentation:

(a) The department shall determine the scope and administration of the examinations.

(b) The department may provide for circumstances under which a candidate who fails either examination, but who meets all other requirements, may retake the examination.

(c) Each application for examination shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application and administering the examination, but in no event shall the fee be less than one hundred fifty dollars nor more than two hundred dollars.

(d) The department shall make reasonable accommodations for those candidates who demonstrate a special need or disability.

(e) The department shall prescribe the scope and manner of the case presentation required herein.

(7) Documents the completion of ethics training, as prescribed by the department.

(8) Signs a form of professional and ethical accountability and responsibility as prescribed by the department.

(9) Documents the completion of supervised clinical hours, under such conditions as shall be determined by the department. The department may require that such supervision be conducted by a certified clinical supervisor.

(10) Provides three letters of recommendation as prescribed by the department.

(11) The department may prescribe such other qualifications and requirements for certified addiction counselors as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter.

§3387.2. Registered addiction counselor

R.S. 37:3387.2 is all proposed new law.

A. The practice of addiction counseling within the meaning and intent of this Chapter shall consist of the rendering of professional guidance to individuals suffering from an addictive disorder to assist them in gaining an understanding of the nature of their disorder and developing and maintaining a responsible life style. The registered addiction counselor may not practice independently. The registered addiction counselor must maintain an association with a licensed addiction counselor in the manner prescribed by the department. The

scope of practice, in addition to any other provision herein shall include making referrals to appropriate professionals, providing counseling to family members and, as appropriate, to others affected by the individual's addictive disorder, and the utilization of KSA and core functions.

B. The department shall adopt and promulgate rules which govern registered addiction counselors in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a registered addiction counselor shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, not less than forty-five days prior to any examination, notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a registered addiction counselor each candidate who:

(1) Is a legal resident of the United States at least twenty-one years of age.

(2) Is not in violation of any ethical standards subscribed to by the department.

(3) Is not now and has not been a substance abuser or compulsive gambler during the previous two years.

(4) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to, a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(5) Demonstrates professional competence by passing a written and oral examination, and making a case presentation:

(a) The department shall determine the scope and administration of the examinations.

(b) The department may provide for circumstances under which a candidate who fails either examination, but who meets all other requirements may retake the examination.

(c) Each application for examination shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application and administering the examination, but in no event shall the fee be less than one hundred fifty dollars nor more than two hundred dollars.

(d) The department shall make reasonable accommodations for those candidates who demonstrate a special need or disability.

(e) The department shall prescribe the scope and manner of the case presentation required herein.

(6) Documents the completion of ethics training, as prescribed by the department.

(7) Signs a form of professional and ethical accountability and responsibility as prescribed by the department.

(8) Documents the completion of supervised clinical hours, under such conditions as shall be determined by the department. The department may require that such supervision be conducted by a certified clinical supervisor.

(9) Provides three letters of recommendation as prescribed by the department.

(10) The department may prescribe such other qualifications and requirements for registered addiction counselors as may be

appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter.

§3387.3. Counselor-in-training

R.S. 37:3387.3 is all proposed new law.

A. The practice of addiction counseling within the meaning and intent of this Chapter shall consist of the rendering of professional guidance to individuals suffering from an addictive disorder to assist them in gaining an understanding of the nature of their disorder and developing and maintaining a responsible life style. The status of counselor-in-training (CIT) is intended to assist professional development by providing qualified individuals with supervised clinical counseling experience. This status is, by its very nature, temporary and it is anticipated that the individual will progress through the experience to become a licensed, certified or registered addiction counselor. The counselor-in-training may not practice independently. The counselor-in-training may only work under the direct supervision of a licensed addiction counselor, certified addiction counselor or registered addiction counselor. The scope of practice, in addition to any other provision herein shall include making referrals to appropriate professionals, providing counseling to family members and, as appropriate, to others affected by the individual's addictive disorder, and the utilization of KSA and core functions.

B. The department shall adopt and promulgate rules which govern the status of counselor-in-training in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a counselor-in-training shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, within thirty days notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a counselor-in-training each candidate who:

(1) Is a legal resident of the United States at least eighteen years of age.

(2) Is not in violation of any ethical standards subscribed to by the department.

(3) Is not now and has not been a substance abuser or compulsive gambler during the previous two years.

(4) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to, a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(5) Submits an application accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application, but in no event shall the fee be less than fifty dollars nor more than two hundred dollars.

(6) Signs a form of professional and ethical accountability and responsibility as prescribed by the department.

(7) Provides three letters of recommendation as prescribed by the department.

(8) The department may prescribe such other qualifications and requirements for counselor-in-training as may be appropriate for the

protection of the public or the enhancement of professional services provided under the authority of this Chapter.

§3387.4. Addiction treatment assistant

R.S. 37:3387.4 is all proposed new law.

A. An addiction treatment assistant is a paraprofessional who serves in a supportive role within the therapeutic process. The addiction treatment assistant must work under the direct supervision of a licensed, certified, or registered counselor in manner prescribed by the department.

B. The department shall adopt and promulgate rules which govern addiction treatment assistants in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as an addiction treatment assistant shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, within thirty days notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as an addiction treatment assistant each candidate who:

(1) Is a legal resident of the United States at least sixteen years of age.

(2) Is not in violation of any ethical standards subscribed to by the department.

(3) Is not and has not been a substance abuser or compulsive gambler during the previous six months.

(4) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to, a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate, or at least one parent or legal guardian of a candidate in the case of unemancipated minor, must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(5) Each application shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application, but in no event shall the fee be less than twenty-five dollars nor more than one hundred dollars.

(6) Sign a form of professional and ethical accountability and responsibility as prescribed by the department.

(7) Provides three letters of recommendation as prescribed by the department.

(8) The department may prescribe such other qualifications and requirements for addiction treatment assistants as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter. In addition the department shall provide for the periodic renewal of addiction treatment assistant status and is authorized to impose a renewal fee of not less than fifteen dollars nor more than fifty dollars.

§3387.5. Certified clinical supervision

R.S. 37:3387.5 is all proposed new law.

A. The legislature finds that addiction counseling is an effective and necessary component in the continuum of addictive disorder treatment and services. In order to better provide for the health and welfare of the citizens of this State, the Legislature desires to enhance the profession of addiction counseling by providing for a qualified

workforce in sufficient numbers to meet the needs of those individuals within the state who suffer from treatable addictive disorders or are affected by addictive disorders. The legislature finds clinical supervision to be essential for the ongoing development of a qualified workforce sufficient to meet the present and anticipated public health needs of the state.

B. The department shall adopt and promulgate rules which will provide for the certification of clinical supervisors in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a certified clinical supervisor must first complete clinical supervision training approved by the department. The candidate may then submit an application on a form and in a manner prescribed by the department. Documentation of the clinical supervision training must accompany the application.

D. Upon investigation of the application, the department shall, within thirty days notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a certified clinical supervisor each candidate who:

(1) Is a licensed, certified or registered addiction counselor.

(2) Is not in violation of any ethical standards subscribed to by the department.

(3) Does not have any pending disciplinary action with the department.

(4) Is not a defendant in any pending felony criminal proceedings.

(5) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to, a felony.

(6) Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(7) Each applicant must demonstrate professional competence in clinical supervision by passing a written examination:

(a) The department shall determine the scope and administration of the examination.

(b) The department may provide for circumstances under which a candidate who fails the examination, but who meets all other requirements, may retake the examination.

(c) Each application shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application and administering the test, but in no event shall the fee be less than fifty dollars nor more than two hundred dollars.

(d) The department shall make reasonable accommodations for those candidates who demonstrate a special need or disability.

F. The scope of clinical supervision for a certified clinical supervisor shall be as follows:

(1) A licensed addiction counselor certified in clinical supervision may provide clinical supervision for any other licensed addiction counselor, for any certified addiction counselor, for any registered addiction counselor, for any counselor-in-training, and for any addiction treatment assistant.

(2) A certified addiction counselor who is also certified in clinical supervision may provide clinical supervision for any certified addiction counselor, for any registered addiction counselor, for any counselor-in-training, and for any addiction treatment assistant.

(3) A registered addiction counselor who is also certified in clinical supervision may provide clinical supervision for any

registered addiction counselor, for any counselor-in-training, and for any addiction treatment assistant.

§3387.6. Certified gambling counselor

R.S. 37:3387.6 is all proposed new law.

A. The legislature finds that addiction counseling is an effective and necessary component in the continuum of addictive disorder treatment and services. In order to better provide for the health and welfare of the citizens of this state, the legislature desires to enhance compulsive gambling counseling services by providing for a certification for compulsive gambling counselors.

B. The department shall adopt and promulgate rules which will provide for the certification of compulsive gambling counselor, in accordance with this Chapter.

C. Any person seeking to be recognized by the department as a certified compulsive gambling counselor must hold the valid and current necessary credential of licensed, certified or registered addiction counselor or hold the valid and current necessary credential of a qualified mental health professional. In addition, the candidate must complete the minimum educational hours provided for herein. Any candidate holding the necessary credential who has completed the educational hours required may submit an application on a form and in a manner prescribed by the department. Documentation of the necessary credential and completion of the required educational hours must accompany the application. The application shall also be accompanied by a fee as provided for herein.

D. Upon investigation of the application, the department shall, within thirty days, notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If the application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a certified gambling counselor each candidate who:

(1) Is a licensed, certified or registered addiction counselor, or who is a qualified mental health professional.

(2) Is not in violation of any ethical standards subscribed to by the department.

(3) Does not have any pending disciplinary action with the department, or, in the case of a qualified mental health professional, with the appropriate regulatory board.

(4) Is not a defendant in any pending felony criminal proceedings.

(5) Has successfully completed a minimum of sixty educational hours, approved by the department, specific to addiction.

(6) Has successfully completed a minimum of thirty educational hours, approved by the department, specific to gambling addiction.

(7) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to a felony.

(8) Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(9) Each applicant must demonstrate professional competence in clinical supervision by passing a written examination:

(a) The department shall determine the scope and administration of the examination.

(b) The department may provide for circumstances under which a candidate who fails the examination, but who meets all other requirements, may retake the examination.

(c) Each application shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application and administering the

test, but in no event shall the fee be less than fifty dollars nor more than two hundred dollars.

(d) The department shall make reasonable accommodations for those candidates who demonstrate a special need or disability.

F. The scope of practice for a certified compulsive gambling counselor shall be consistent with the scope of practice for the necessary credential supporting the certification. A certified compulsive gambling counselor may not practice or provide gambling counseling services to any member of the public or hold himself out as a gambling counselor without a valid and current necessary credential as provided for herein.

G. The department shall revoke the certification for gambling counseling of any person who does not maintain the valid and current necessary credential of licensed, certified or registered addiction counselor or qualified mental health professional.

§3387.7. Certified prevention specialist

R.S. 37:3387.7 is all proposed new law.

A. The practice of a certified prevention specialist within the meaning and intent of this Chapter shall consist of providing a broad range of prevention services and activities. The certified prevention specialist may practice autonomously, independent of any other professional association or supervision. The scope of practice affords the certified prevention specialist with the flexibility of working in a variety of settings that supports competency based levels of knowledge, skills, and attitudes. Prevention can range from working with specific and varied populations to mobilizing communities and advocating for healthy behaviors.

B. The department shall adopt and promulgate rules which govern certified prevention specialists in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a certified prevention specialist shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, not less than forty-five days prior to any examination, notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a certified prevention specialist each candidate who:

(1) Possesses a bachelor's degree from an accredited institution of higher education and documents one year of department approved prevention experience or a high school diploma or equivalent and documents five years of department approved experience. The degree shall be in a human services or behavioral science discipline or such other discipline or disciplines as the department may designate.

(2) Is a legal resident of the United States at least twenty-one years of age.

(3) Is not in violation of any ethical standards subscribed to by the department.

(4) Is not and has not been a substance abuser or compulsive gambler during the previous two years.

(5) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere, to a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(6) Demonstrates professional competence by passing a written examination.

(a) The department shall determine the scope and administration of the examination.

(b) The department may provide for circumstances under which a candidate who fails the examination, but who meets all other requirements, may retake the examination.

(c) Each application for examination shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the application and administering the examination, but in no event shall the fee be less than twenty-five dollars nor more than two hundred dollars.

(d) The department shall make reasonable accommodations for those candidates who demonstrate a special need or disability.

(7) Documents completion of any ethics training required by the department and signs a form of professional and ethical accountability and responsibility as prescribed by the department.

(8) Documents having successfully completed any training prescribed by the department. Training as contemplated herein may include educational as well as experiential components.

(9) Provides three letters of recommendation as prescribed by the department.

F. The department may prescribe such other qualifications and requirements for certified prevention specialists as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter. In addition the department shall provide for the periodic renewal of certified prevention specialist status and is authorized to impose a renewal fee of not less than twenty-five dollars nor more than two hundred dollars.

G. Any person who on the effective day of this Chapter, holds a valid, current credential as a board certified prevention specialist shall be recognized by the department as a certified prevention specialist.

§3387.8. Registered preventionist

R.S. 37:3387.8 is all proposed new law.

A. The practice of a registered preventionist within the meaning and intent of this Chapter shall consist of providing a broad range of prevention services and activities. The registered preventionist shall maintain an association with a certified prevention specialist in the manner prescribed by the department. The scope of practice affords the registered preventionist with the flexibility of working in a variety of settings that support competency based levels of knowledge, skills, and attitudes. Prevention can range from working with specific or varied populations to mobilizing communities, and advocating for healthy behaviors.

B. The department shall adopt and promulgate rules which govern registered preventionist in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a registered preventionist shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, not less than forty-five days prior to any examination, notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a registered preventionist each candidate who:

(1) Possesses a high school diploma or the equivalent.

(2) Is a legal resident of the United States at least eighteen years of age.

(3) Is not in violation of any ethical standards subscribed to by the department.

(4) Is not and has not been a substance abuser or compulsive gambler during the previous two years.

(5) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere, to a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(6) Documents completion of any ethics training required by the department and signs a form of professional and ethical accountability and responsibility as prescribed by the department.

(7) Documents having successfully completed any training prescribed by the department. Training as contemplated herein may include educational as well as experiential components.

(8) Provides three letters of recommendation as prescribed by the department.

F. The department may prescribe such other qualifications and requirements for registered preventionists as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter. In addition the department shall provide for the periodic renewal of registered preventionist status and is authorized to impose a renewal fee of not less than twenty-five dollars nor more than two hundred dollars.

§3387.9. Prevention specialist-in-training

R.S. 37:3387.9 is all proposed new law.

A. The practice of a prevention specialist-in-training (PSIT) within the meaning and intent of this Chapter shall consist of providing a broad range of prevention services and activities. The status of prevention specialist-in-training is intended to assist professional development by providing qualified individuals with supervised practical experience. This status is, by its very nature, temporary and it is anticipated that the individual will progress through the experience to become a certified prevention specialist or registered preventionist. The prevention specialist-in-training may not practice independently. The prevention specialist-in-training may only work under the direct supervision of a certified prevention specialist or registered preventionist. The scope of practice affords the prevention specialist-in-training with the flexibility for working in a variety of settings that supports competency based levels of knowledge, skills, and attitudes.

B. The department shall adopt and promulgate rules which govern prevention specialist-in-training in accordance with the provisions of this Chapter.

C. Any person seeking to be recognized by the department as a prevention specialist-in-training shall submit an application to the department on a form and in a manner as the department shall prescribe. The initial application form shall be accompanied by an initial application fee as provided for herein.

D. Upon investigation of the application, the department shall, within thirty days, notify each candidate that the application is satisfactory and accepted or unsatisfactory and unaccepted. If an application is rejected, the notice shall state the reason for such rejection.

E. The department shall recognize as a prevention specialist-in-training each candidate who:

(1) Is a legal resident of the United States at least eighteen years of age.

(2) Is not in violation of any ethical standards subscribed to by the department.

(3) Is not and has not been a substance abuser or compulsive gambler during the previous two years.

(4) Has not been convicted of, or entered a plea of guilty or a plea of nolo contendere to, a felony. However, the department may, in its discretion, waive this requirement upon review of the individual's circumstances. Each candidate must sign a form prescribed by the department authorizing the department to obtain a criminal history or to conduct a criminal background check.

(5) Each application shall be accompanied by a fee prescribed by the department. The fee shall be in amount at least sufficient to cover the cost of processing the application, but in no event shall the fee be less than twenty-five dollars nor more than one hundred dollars.

(6) Sign a form of professional and ethical accountability and responsibility as prescribed by the department.

(7) Provides three letters of recommendation as prescribed by the department. The department may prescribe such other qualifications and requirements for prevention specialist-in-training as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter. In addition the department shall provide for the periodic renewal of preventionist specialist-in-training status and is authorized to impose a renewal fee of not less than twenty-five dollars nor more than one hundred dollars.

§3388. License, certification, registration renewal

R.S. 37:3388 is all proposed new law.

A. Each licensed, certified, and registered addiction counselor must renew his credentials every two years.

B. Within the two year period provided for herein each licensed, certified, and registered addiction counselor must provide to the department documentation of successfully completing forty-eight department approved continuing educational hours.

C. The documentation required by this section shall be provided on a form and in a manner prescribed by the department.

D. Each renewal shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the renewal, but in no event shall the fee be less than fifty dollars nor more than two hundred dollars.

§3388.1. Counselor-in-training renewal

R.S. 37:3388.1 is all proposed new law.

A. Each counselor-in-training may renew his status every twelve months. Each renewal shall be for a twelve month period.

B. Within the twelve month period provided for herein, each counselor-in-training must provide to the department documentation of successfully completing a minimum of twenty department approved continuing educational hours or documentation that the counselor-in-training has been actively engaged in pursuing a degree from an accredited institution of higher learning in a human services or behavioral science discipline, or such other discipline or disciplines as the department may designate.

C. The documentation required by this section shall be provided on a form and in a manner prescribed by the department.

D. Each renewal shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the renewal, but in no event shall the fee be less than twenty-five dollars nor more than one hundred dollars.

E. Failure to renew shall not disqualify an individual from re-applying for counselor-in-training status.

F. Individuals who, prior to the effective date of this Chapter had never maintained counselor-in-training status and who, after the effective date of this Chapter, make their initial application for, and are granted, counselor-in-training status, shall be allowed to maintain the counselor-in-training status for an aggregate period not to exceed seventy-two months.

G. Individuals who, at any time prior to the effective date of this Chapter, had maintained counselor-in-training status for an aggregate period equal to or less than sixty months, and who, after the effective date of this Chapter, renew or re-apply for that status, shall be allowed to maintain the counselor-in-training status for an aggregate period not to exceed seventy-two months. In calculating the seventy-two month aggregate period provided for herein, the time in status prior to the effective date of this Chapter shall be included.

H. Individuals who, at any time prior to the effective date of this Chapter, had maintained counselor-in-training status for an aggregate period in excess of sixty months, shall be allowed to renew or re-apply for counselor-in-training status for an additional twelve month period.

I. The department may prescribe such other qualifications and requirements for counselor-in-training as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter.

§3388.2. Clinical supervision and compulsive gambling counselor certification renewal

R.S. 37:3388.2 is all proposed new law.

A. The certification for clinical supervision and compulsive gambling counselor must be renewed every twenty-four months.

B. Within the twenty-four month period provided for herein each clinical supervisor and compulsive gambling counselor must provide to the department documentation of successfully completing a minimum of twenty department approved continuing educational hours.

C. The documentation required by this Section shall be provided on a form and in a manner prescribed by the department.

D. Each renewal shall be accompanied by a fee prescribed by the department. The fee shall be in an amount at least sufficient to cover the cost of processing the renewal, but in no event shall the fee be less than fifty dollars nor more than two hundred dollars.

E. The department may prescribe such other requirements for clinical supervision and compulsive gambling counselor renewal as may be appropriate for the protection of the public or the enhancement of professional services provided under the authority of this Chapter.

§3388.3. Applicability

R.S. 37:3388.3 is all proposed new law.

A. The legislature finds that there are various credentials offered and recognized in the state of Louisiana for those professionals who are engaged, prior to the effective date of this Chapter, in the practice of counseling persons suffering from addictive disorders, as well as the providing of prevention services. It is the intent of the legislature that there be a single authority issuing credentials for addictive disorder counseling and prevention professionals in Louisiana. The authority for issuing and recognizing credentials for professionals engaged in the providing of counseling and prevention services for those who suffer from addictive disorders shall be the Department of Health and Hospitals, office for addictive disorders.

B. In order to provide for the transition of regulatory authority and for uniformity and consistency in the granting of new credentials and the recognition of existing credentials, the followingshall apply:

(1) Any person who, on the effective date of this Chapter, holds a valid and current status as a board certified substance abuse counselor shall be allowed to maintain the same level of autonomy and independence in scope of practice to which they were entitled prior to the enactment of this Chapter, without regard to whether they are considered a licensed or certified addiction counselor under provisions of this Chapter.

(2) Any person who, on the effective date of this Chapter, holds a valid and current status as a board certified substance abuse counselor, and who has held such certification for a period of five years or more, shall be allowed to be credentialed by the department as a licensed addiction counselor.

(3) Any person who, on the effective date of this Chapter, holds a valid and current status as a board certified substance abuse counselor, and who has held such certification for a period less than five years, but who has been engaged in providing primary care in the field of substance abuse counseling for a period of time prior to becoming board certified, may combine his years in these two capacities. If the combination of years totals five years or more, the person shall be allowed to be credentialed by the department as a licensed addiction counselor.

(4) Any person who, on the effective date of this Chapter, holds a valid and current status as a board certified substance abuse counselor, and who, has held such certification for a period of less than five years, and who fails to meet the requirements set forth in this Chapter as a licensed addiction counselor, shall be recognized as a certified addiction counselor and shall maintain the independent scope of practice to which they were entitled prior to the enactment of this Chapter. Nothing herein shall prevent such a person from applying for and being granted the status of licensed addiction counselor, provided they meet all the requirements set forth in this Chapter.

(5) The provisions of this Chapter relative to licensure and scope of practice shall not apply to any credential which, on the effective date of this Chapter, is not valid and current. Any person who is successful in having such credential reinstated by the department, after the effective date of this Chapter, shall be limited to the scope of practice set forth herein without regard to any prior experience and without consideration of the prior years during which the individual may have been credentialed.

(6) The department is authorized to impose a fee of seventy-five dollars for the issuance of each license or certification provided for in this Section.

§3388.4. Powers and duties of the department

R.S. 37:3388.4 is all proposed new law.

The department shall:

(1) Establish and maintain minimum educational and experiential requirements in accordance with the provisions of this Chapter.

(2) Establish and maintain minimum standards of practice in accordance with those developed and accepted by the profession.

(3) Develop and promulgate rules for the approval, denial, and renewal of qualified candidates for professional credentials, as well as, for the revocation or suspension of credentials or the refusal to renew any credential or statue authorized by this Chapter.

(4) Investigate complaints of illegal or unethical conduct or practices of those holding any professional credential or status authorized by this Chapter, or any candidate for same.

(5) Promulgate and publish rules and regulations for the purpose of administering the provisions of this Chapter.

(6) Conduct hearings on charges pursuant to the Administrative Procedure Act calling for disciplinary action against anyone holding a credential or status authorized by this Chapter.

(7) Adopt a code of ethics for those holding a credential or status authorized by this Chapter, which shall be no less stringent than those adopted by other health care professionals.

(8) Prescribe and adopt regulations, standards, procedures and policies governing the manner and conditions under which credit shall be given by the department for participation in programs of education or experience, including programs of continuing professional education, such as the department may consider necessary.

(9) Maintain a complete roster of all those awarded a credential or status under the provisions of this Chapter. The department may, but need not, delegate to an appropriate professional association, the responsibility of maintaining a roster or registry of addiction treatment assistants or prevention assistants. This delegation may be upon such terms and conditions as the department deems appropriate or necessary.

(10) Adopt and promulgate rules, regulations and standards for department approval of institutions providing clinical training or education in areas pertaining to a credential or status governed by the provisions of this Chapter.

(11) Issue subpoenas to require attendance, testimony and production of documents in the process of enforcing the provisions of this Chapter and department rules or in order to secure evidence or testimony pursuant to any investigation conducted in furtherance of the department's authority or responsibility hereunder.

(12) Adopt and promulgate any rule, regulation, standard, or procedure necessary to carry out the provisions of this Chapter.

(13) The department may, but need not, delegate to an appropriate professional association or university any of the duties imposed upon it by this Chapter, other than rulemaking and fee determination. This delegation may be on such terms and conditions as the department deems appropriate or necessary. The department may authorize any third party acting on its behalf, pursuant to the provisions of this Chapter, to collect any fees authorized by this Chapter. The department may authorize any such third party to keep any fees collected. However, any fees, or any portion of any fees, collected herein, which are transferred to the department shall be deposited into the treasury of the state and shall revert to the state general fund.

§3389. Transition

R.S. 37:3389 is all proposed new law.

A. The department may, in order to provide for an orderly transition of authority, adopt any rule or fee promulgated by the board prior to the effective date of this Chapter and which was in effect at any time during the six month period immediately preceding the effective date of this Chapter. All such rules shall be presumed adopted unless and until specifically rescinded or replaced by the department.

B. The department shall perform an audit and inventory of the assets, contracts, liabilities, obligations, regulatory activities and any records of the board. The department is authorized to identify and take possession of any and all property belonging to or pertaining to the board or any regulatory actions or functions of the board. The audit and inventory shall be completed by September 1, 2005. The department is authorized to take all necessary steps to initiate and complete the audit and inventory, including, but not limited to taking any and all legal action necessary to accomplish the purposes of this

Chapter. Venue for any such legal action shall be the Nineteenth Judicial District Court. At the commission's first regularly scheduled meeting following September 1, 2005, the department shall report the findings of the audit and inventory to the Louisiana Commission on Addictive Disorders.

C. Not later than March 1, 2006, the department shall review all contracts and obligations entered into by the board, which arose prior to, or which were in effect on the effective date of this Chapter. The department shall have the right to accept or cancel any such contract or obligation. The cancellation provided for herein shall be in writing. The written cancellation shall be transmitted to the other party or parties to the contract or obligation. Accepting the contract or obligation shall have the effect of substituting the department in the place of the board as obligee or obligor. All contracts and obligations shall be deemed accepted unless and until canceled in accordance with the provisions of this Chapter. No action taken by the department in the furtherance or, or in accordance with, the terms of a contract or obligation shall deprive the department of the right conferred herein to cancel the contract or obligation. Nothing herein shall prohibit the department from canceling a contract or obligation and entering into a new contract with the same party. The right to cancel conferred herein shall expire one hundred eighty days after the date on which the department reported on the audit and inventory to the Louisiana commission on addictive disorders.

D. In order to assist the department in the orderly transition of authority there is hereby established the transition advisory committee. The committee shall be comprised of the following:

(1) Three persons designated by the board who served on the board during the six months immediately preceding the effective date of this Chapter and who are not members of the Louisiana Commission on Addictive Disorders.

(2) Three persons designated by the Louisiana Association of Substance Abuse Counselors, who are not currently members of the Louisiana Commission on Addictive Disorders.

(3) The members of the Louisiana Commission on Addictive Disorders.

(4) One psychiatrist and one physician shall be designated by the department to serve as co-chairpersons of the transition advisory committee.

E. The transition advisory committee shall serve only until the audit and inventory provided for herein is reported to the Louisiana Commission on Addictive Disorders. Thereafter, the commission, as well as a physician and psychiatrist designated by the department, shall serve the department in an advisory capacity regarding the exercise of authority provided for in this Chapter. The department may designate either of the co-chairpersons of the transition advisory committee to serve on this advisory group.

F. The department shall, at all regularly scheduled meetings of the Louisiana Commission on Addictive Disorders, provide the commission with a report on the exercise of the authority provided for in this Chapter. The report shall include, but not be limited to, reports of rulemaking.

G. On or before March 1 of each year, the Louisiana Commission on Addictive Disorders shall prepare a report for the Senate and House committees on health and welfare. The report shall advise the committees on whether or not, in the opinion of the commission, the profession of addiction counseling has developed sufficiently to warrant the establishment of a board to assume the regulatory authority and the transfer of authority from the department to such a board.

§3390. Prohibited practice; injunctive relief

R.S. 37:3390 is all proposed new law.

A. No one may hold himself out as having a credential or status authorized by the provisions of this Chapter who is not so recognized by the department.

B. The credential or status of anyone who fails to timely renew a status or credential authorized by this Chapter, shall be deemed suspended unless and until renewed or reinstated as provided for by the department. Any person whose status or credential is suspended shall be prohibited from exercising the scope of practice provided for herein relative to the suspended credential or status.

C. The department may cause an injunction to be issued in any court of competent jurisdiction enjoining any person from violating the provisions of this Chapter. Failure of the department to seek an injunction shall not constitute a waiver nor confer upon any person violating the provisions of this Chapter a right to engage in such conduct.

D. In any suit for injunction, the department may impose on the defendant a penalty of not less than one hundred dollars nor more than one thousand dollars, and attorney fees and court costs. The judgment for penalty, attorney fees and costs may be rendered in the same judgment in which the injunction is made absolute.

§3390.1. Persons and practices not affected

R.S. 37:3390.1 is all proposed new law.

A. Nothing in this Chapter shall be construed as preventing or restricting practice, services, or activities of any person licensed or certified in this state, by any other law, from engaging in the profession or occupation for which he is licensed or certified.

B. Nothing in this Chapter shall be construed as prohibiting other licensed professionals, including members of the clergy and Christian Science practitioners, from the delivery of medical, psychotherapeutic, counseling, social work, psychological, or educational services to substance abusers and their families.

C. Nothing in this Chapter shall be construed as prohibiting the activities of any person recognized as a counselor or prevention specialist in training by the department and employed or supervised in the manner prescribed by the department, from carrying out specific tasks under professional supervision. The person supervised shall not represent himself to the public as having any credential or status which the department does not recognize him as having.

D. Nothing in this Chapter shall be construed as prohibiting the activities of any student in an accredited educational institution, from carrying out activities that are part of the prescribed course of study, provided such activities are authorized by this Chapter or by the department. Such student shall hold himself out to the public only by clearly indicating his student status and the profession in which he is being trained.

§3390.2. Reciprocity; other states

R.S. 37:3390.2 is all proposed new law.

A. The department may recognize, grant or issue any credential or status authorized by this Chapter and without examination in this state, to any applicant holding a valid credential or status recognized or issued in another state, provided the department determines that the credential or status in question is based upon an examination or other requirements substantially equivalent to the requirements of this Chapter and such other requirements as may be prescribed by the department in accordance with the provisions of this Chapter. The department shall have the authority to determine which status or credential, and corresponding scope of practice, authorized by this Chapter should be allowed to an individual seeking reciprocity.

§3390.3. Disciplinary action; causes; hearing; appeal

R.S. 37:3390.3 is all proposed new law.

A. The department shall have the power to deny, revoke or suspend any credential or status authorized by this Chapter. In addition the department shall have the power to assess an administrative fee not to exceed five hundred dollars per violation or otherwise discipline any person holding a credential or status authorized by this Chapter who:

(1) Has been convicted of any offense which constitutes a felony under the laws of this state, whether or not the conviction was in a court in this state. "Conviction," as used herein, shall include a finding or verdict of guilt, an admission of guilt, or a plea of nolo contendere.

(2) Has been declared insane or incompetent by a court of law.

(3) Violates any provision of the ethical standards to which the department subscribes.

(4) Attempts to practice medicine, psychology, or social work without being licensed in such professions.

(5) Is impaired in delivery of professional services because of substance abuse, compulsive gambling, or because of medical or psychiatric disability.

(6) Without authority provides drugs or other restricted chemical substances to another person.

(7) Allows a credential or status issued by the department to be used by a person other than the one to whom the credential or status was issued.

(8) Engages in sexual misconduct with a client or a family member of a client.

(9) Obtained a credential or status by means of fraud, misrepresentation, or concealment of material facts.

(10) Has been found guilty of fraud or deceit in connection with services rendered.

(11) Has been grossly negligent in practice as a licensed, certified or registered professional; professional in training, or assistant, as provided for in this Chapter.

(12) Has violated any lawful order, rule, or regulation rendered or adopted by the department.

(13) Has violated any provisions of this Chapter.

(14) Has had his certificate or registration to practice disciplined by another state, territory, or district of the United States.

(15) Has been found guilty of unprofessional conduct, including departing from, or failing to conform to, the minimal standards of acceptable and prevailing practice. Actual injury to a client need not be established.

B. The department shall adopt rules and procedures establishing a disciplinary process which shall, at a minimum, comply with the following:

(1) Any person whose credential or status is sought to be disciplined in accordance with the provisions of this Chapter shall be given thirty days notice in writing enumerating the charges and specifying the date for a hearing before the department conducted in accordance with applicable provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

(2) In connection with any hearing the department may issue subpoenas, compel the attendance and testimony of witnesses, and administer oaths in the same manner as a district court in the parish wherein the hearing takes place.

(3) A stenographic or audio record of all disciplinary proceedings before the department shall be made and upon payment by the requesting party a transcript kept on file with the department.

(4) If the department finds that public health, safety, and welfare requires emergency action and incorporates a finding to that

effect in its order, a summary suspension of a license, certificate or registration may be ordered pending proceedings for disciplinary action. Such proceedings shall be promptly instituted and determined pursuant to rule.

C. Any person aggrieved by a decision of the department in a disciplinary hearing may appeal the decision within thirty days to the district court for the parish wherein the hearing was held pursuant to the Administrative Procedure Act.

D. In addition to the disciplinary action or fines assessed by the department, the department may assess all costs incurred in connection with the proceedings including, but not limited to, investigation, court reporting, attorney fees and court costs.

§3390.4. Confidentiality**R.S. 37:3390.4 is all proposed new law.**

A. No person holding a credential or status recognized by the department and authorized by this Chapter may disclose any information he may have acquired from persons consulting him in his professional capacity where the information was necessary to enable him to render services to those persons except:

(1) With the written consent of the client, or in the case of death or disability, with the written consent of his personal representative, other persons authorized to sue, or the beneficiary of any insurance policy on his life, health, or physical condition.

(2) When the person is a minor under the age of eighteen and the information acquired indicates that the child was the victim or subject of a crime, then, the person having received the information may be required to testify fully in relation thereto upon any examination, trial, or other proceeding in which the commission of such crime is a subject of inquiry, unless otherwise prohibited by law.

(3) When the person is a minor under the age of eighteen and the information acquired must be disclosed pursuant to any law which mandates the reporting of certain information relative to minors and the persons or agencies to whom the information must be disclosed.

(4) When, unless otherwise prohibited by law, a communication reveals the contemplation of a crime or harmful act.

(5) When the person waives the privilege by filing a complaint with the department or otherwise invokes the jurisdiction of the department.

§3390.5. Penalties**R.S. 37:3390.5 is all proposed new law.**

Whoever violates any provision of this Chapter shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not more than six months, or both.

Section 4. R.S. 46:2503(A) is hereby amended and reenacted to read as follows:

§2503. Commission duties and responsibilities

A. The commission shall advise the office for addictive disorders, ~~the Louisiana State Board of Certification of Substance Abuse Counselors~~, and officers of any other state department concerning the policy of the state with respect to addictive disorders. However, the provisions of this Chapter shall not apply to the Substance Abuse Prevention Education Program of the Department of Education and the Highway Safety Act of 1966 (P.L. 89-564) administered by the Highway Safety Commission of the Department of Public Safety and Corrections.

* * *

Section 5. R.S. 37:3371 through 3384 are hereby repealed.

Section 6. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as

provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator McPherson, the committee substitute bill was adopted and becomes Senate Bill No. 875 by Senator McPherson, substitute for Senate Bill No. 336 by Senator McPherson.

SENATE BILL NO. 875 (Substitute for Senate Bill No. 336 by Senator McPherson)—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17: 403(C), R.S. 36:258(E)(1), and R.S. 46:2503(A) and to enact Chapter 50-A of Title 37 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3386 through 3390.5, and to repeal R.S. 36:259(E)(19), R.S. 46:2503(E), and Chapter 50 of Title 37 of Louisiana Revised Statutes of 1950, comprised of R.S. 37:3371 through 3384, relative to addictive disorder professionals; to provide for definitions; to provide for categories of addictive disorder professionals; to provide for powers and duties of the Department of Health and Hospitals, office for addictive disorders; to provide for licensure, certification, and registration of addictive disorder counselors and professionals; to authorize the department to impose application fees; to provide with respect to penalties; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 593—

BY SENATOR B. GAUTREAUX

AN ACT

To enact Subpart A-1 of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.1 through 3397.6, relative to economic development; to authorize and provide for the establishment, management, operation, functions, and activities of regional research and development parks; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. On motion of Senator Hollis, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 731—

BY SENATOR CAIN

AN ACT

To enact Chapter 8 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3201 through 3205, relative to automobile insurance fraud prevention; to establish the Louisiana Automobile Theft and Insurance Fraud Prevention Authority in the Department of Insurance; to provide for the authority's duties, purposes, board of directors, staff, plan of operations, and funding; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 731 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, change "Chapter 8" to "Chapter 9"

AMENDMENT NO. 2

On page 1, line 8, change "Chapter 8" to "Chapter 9"

AMENDMENT NO. 3

On page 1, line 10, change "CHAPTER 8." to "CHAPTER 9."

AMENDMENT NO. 4

On page 2, line 17, after "designee," insert "the state treasurer or his designee, a representative of the Louisiana State Police Insurance Fraud unit, one member of the Senate appointed by the chairman of the Senate Committee on Insurance, one member of the House of Representatives appointed by the chairman of the House Committee on Insurance,"

AMENDMENT NO. 5

On page 2, line 24 after "designee," insert "the state treasurer or his designee, the representative of the Louisiana State Police Insurance Fraud unit, and the legislative members serving on the board,"

AMENDMENT NO. 6

On page 3, line 9, change "its" to "the" and after "pleasure" insert "of the commissioner of insurance"

AMENDMENT NO. 7

On page 3, line 12 after "counsel" change the comma "," to a period "." and delete the rest of the line.

AMENDMENT NO. 8

On page 4, delete lines 22 through 24 in their entirety and insert in lieu thereof the following: "received by the authority shall be deposited in a state chartered financial institution into an account to be known as the Automobile Theft and Insurance Fraud Prevention Authority Fund. Monies in the account shall be subject to annual audit by the legislative auditor. The automobile theft"

AMENDMENT NO. 9

On page 5, line 2 after "counsel" delete the rest of the line and on line 3 delete "the attorney general"

On motion of Senator Boissiere, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 857—

BY SENATOR ULLO

AN ACT

To enact Subpart G of Chapter 7 of Title 40 of the Revised Statutes of 1950, comprised of R.S. 40:1663, relative to public health and safety; to provide for licensing standards for the alarm industry and locksmith; to provide for revising such standards; and to provide for related matters.

Reported by substitute by the Committee on Commerce, Consumer Protection and International Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill No. 857 by
Senator Ullo)

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 40:1662.3(6), (7), (12), (14), (15), (17), (24), (26), (27), and (28), 1662.4(A)(3) and (4), (B), the introductory paragraph of (C), (C)(1), (3), (4), (6), and (7), 1662.6.(A)(3), (B)(6)(a) and (b) and (9), (C)(5) and (6)(a) and (b), and (9), 1662.7(A), (B), (C), (D)(2), (E), and (F), 1662.8(A), (B)(2)(g) and (h), (3)(a) and (b), and (4), 1662.9(A)(3), (5) and (11), (C), (D)(1) and (3), and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.14(A)(2), (3)(b), and (5), (C)(2), (3), (5), and (6), and 1662.15(B)(2), and to enact R.S. 40:1662.3(29), 1662.8(B)(2)(i), (j) and (k), 1662.9(A)(12), (13) and (14), 1662.14(C)(7), and 1662.16(D), relative to public health and safety; to provide for alarm industry and locksmith licensing standards; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1662.3(6), (7), (12), (14), (15), (17), (24), (26), (27), and (28), 1662.4(A)(3) and (4), (B), the introductory paragraph of (C), (C)(1), (3), (4), (6), and (7), 1662.6.(A)(3), (B)(6)(a) and (b) and (9), (C)(5) and (6)(a) and (b), and (9), 1662.7(A), (B), (C), (D)(2), (E), and (F), 1662.8(A), (B)(2)(g) and (h), (3)(a) and (b), and (4), 1662.9(A)(3), (5) and (11), (C), (D)(1) and (3), and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.14(A)(2), (3)(b), and (5)(C)(2), (3), (5), and (6), and 1662.15(B)(2), are hereby amended and reenacted and R.S. 40:1662.3(29), 1662.8(B)(2)(i), (j) and (k), 1662.9(A)(12), (13) and (14), 1662.14(C)(7), and 1662.16(D) are hereby enacted to read as follows:

§1662.3. Definitions

As used in this Subpart, the following terms shall have the meanings specified in this Section:

* * *

(6) "Designated agent" means an owner or a manager of an alarm contracting company or single station fire alarm contracting company, a locksmithing services company, or closed circuit television alarm system contracting company who has been assigned the responsibility of submitting any notice required by this Subpart to the fire marshal.

(7) "Direct supervision" means constant on-site supervision by an alarm system technician, an alarm system installer, ~~or~~ a single station fire alarm technician, a locksmith, or a locksmith shop technician.

* * *

(12) "Individual license" means a Type B, C, D, D-T, E, F, G, ~~or H, I, I-2, J, J-2, K, or L~~ license issued by the fire marshal pursuant to this Subpart.

* * *

(14) "Officer" means the president, vice president, secretary, treasurer, comptroller, or any other person who performs functions for an alarm contracting company or single station fire alarm contracting company, a locksmithing services company or closed circuit television alarm system contracting company corresponding to those performed by those officers.

(15) "Operating location" means a physical address that houses an entity that performs alarm contracting, ~~or~~ single station fire alarm contracting, a locksmithing services company, or a closed circuit television alarm system contracting company.

* * *

(17) "Principal" means a person or entity that owns at least five percent of an alarm contracting company, a single station fire alarm contracting company, ~~or~~ a locksmithing services company, or a

closed circuit television alarm system contracting company regardless of the form of organization. "Principal" includes a person or entity entitled to exercise the prerogatives or indicia of ownership or control of an alarm contracting company, a single station fire alarm contracting company, ~~or~~ a locksmithing services company, or a closed circuit television alarm system contracting company whether by direct action, assignment, ~~or~~ any other kind of substitution or subrogation, to the extent that such person or entity would be entitled to receive at least five percent of the remaining assets of the alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company, or a closed circuit television alarm system contracting company upon dissolution. "Principal" includes, if the entity is a partnership, each partner, including any general or limited partner. "Principal" includes, if the entity is organized as a corporation, any person or entity who owns or controls five percent or more of the total aggregate number of shares of all types of stock issued by an alarm contracting company, a single station fire alarm contracting company, ~~or~~ a locksmithing services company, or a closed circuit television alarm system contracting company organized as a corporation or shares of a corporation that owns or controls an alarm contracting company, a single station fire alarm contracting company, ~~or~~ a locksmithing services company, or a closed circuit television alarm system contracting company. "Principal" includes, if the entity is organized as a limited liability company, any member.

* * *

(24)(a) "Closed circuit television alarm system" means an alarm system that provides video surveillance of events, primarily by means of transmission, recording, or transmission and recording of visual signals through the use of cameras, receivers, monitors, and other visual imaging systems.

(b) "Closed circuit television alarm system contracting company" means an entity that holds a Type A-4 license issued by the fire marshal pursuant to this Subpart.

(c) Closed circuit television alarm system contracting means the selling, designing, repairing, servicing, adjusting, and installing of closed circuit television alarm devices or systems.

* * *

(26) "Locksmith" means an individual who offers or engages in locksmithing services to or for the general public for any type of compensation and has received a Type I or Type I-2 license pursuant to this Subpart.

(27) "Locksmith shop technician" means an individual licensed pursuant to this Subpart who offers or engages in locksmithing services to or for the general public for any type of compensation, but only within the confines of the operating location of the locksmithing services company employing such individual and has received a Type J or Type J-2 license pursuant to this Subpart.

(28)(a) "Locksmithing services" means the modification, recombination, repair, or installation of mechanical locking devices and/or electrical or electronic locking devices or systems for any type of compensation and includes the following:

(i) Selling, designing, repairing, rebuilding, recoding, servicing, adjusting, installing, manipulating, or bypassing of a mechanical locking device and/or electrical or electronic locking device for controlled access or egress to premises, safes, vaults, safe doors, lock boxes, automatic teller machines, or other devices for safeguarding areas where access is meant to be limited as authorized by a Type A-2 or Type A-3 license.

(ii) Operating a mechanical and/or electrical or electronic locking device, safe, or vault by means other than those intended by the manufacturer of such locking devices, safes or vaults as authorized by a Type A-2 or Type A-3 license or selling, designing, repairing, building, recoding, servicing, adjusting, installing, manipulating, or bypassing of a mechanical locking device for controlled access or egress to or within premises as authorized by a Type A-2 or Type A-3 license.

(iii) Consulting and providing technical advice regarding selection of hardware and locking systems of mechanical locking devices and the consulting and providing technical advice regarding selection of electrical or electronic locking devices for controlled access to safes, vaults, safe doors, lock boxes, automatic teller machines, or other devices or electronic locking devices as authorized by a Type A-2 or Type A-3 license.

(iv) Selling, designing, repairing, servicing, adjusting, and installing closed circuit television alarm devices or systems as authorized by a Type A-2 license only.

(v) Consulting and providing technical advice regarding selection of devices for access control systems or the selling, designing, repairing, rebuilding, recoding, servicing, adjusting, and installing access control devices or systems as authorized by a Type A-2 license only.

(b) "Locksmithing services" shall not include either of the following:

(i) The installation of a prefabricated lock set and door knob into a door of a residence.

(ii) The operation of a key duplicating machine and key blanks, except for those keys which are proprietary and those marked "do not duplicate" or "master key."

(29) "Locksmithing services company" means an entity that holds a Type A-2 or Type A-3 license issued by the fire marshal pursuant to this Subpart.

§1662.4. Licensure required

A. No person or company shall engage in alarm contracting or single station fire alarm contracting without holding a current and valid license issued by the fire marshal as provided in this Subpart. However, this requirement for licensure shall not apply to:

* * *

(3) Any owner, management company, or public institution and such person's or entity's employees while such person or entity is designing, installing, inspecting, repairing, servicing, recoding, or adjusting, or testing closed circuit television alarm systems, ~~access control devices, or both~~, only on the premises of the owner or public institution during the normal course and scope of his duties.

(4) Any owner, management company, or public institution and such person's or entity's employees while such person or entity is designing, installing, inspecting, repairing, servicing, or testing a burglar alarm system only on the premises of the owner or public institution during the normal course and scope of his duties.

B. No person or company shall aid, abet, facilitate, or otherwise assist any unlicensed person or company in engaging in alarm contracting, single station fire alarm contracting, closed circuit television alarm system contracting, or locksmithing services, including but not limited to the sale of an electronic protective system as defined in this Subpart when such person or company knew or should have known that the person or company thus assisted was unlicensed.

C. No person or company shall engage in locksmithing services or closed circuit television alarm system contracting without holding a current and valid license issued by the fire marshal as

provided in this Subpart. However, this requirement shall not apply to the following:

(1) An officer or employee of the United States, this state, or any political subdivision of either, while engaged in the performance of his official duties within the course and scope of his employment with the United States, this state, or any political subdivision of either. However, no person or entity excepted from licensure pursuant to this Paragraph shall engage in the sale, service, repair, design, or installation of ~~closed circuit television alarm systems,~~ access control devices, or systems both.

* * *

(3) Any automotive service dealer, lock manufacturer, or manufacturer's ~~agent~~ employee engaged in servicing, installing, repairing, or rebuilding automotive locks.

(4) Any lock, gate, or access control manufacturer, and his ~~agent~~ employee, or any merchant or any retail or hardware store that is in the business of duplicating keys, except for those keys which are proprietary and those marked "do not duplicate" or "master key"; installing; servicing; repairing; rebuilding; reprogramming; or maintaining electronic garage door devices, electric or electronic gate systems, ~~or hotel/motel access control systems;~~ or selling locks or similar security accessories not prohibited from sale by the state of Louisiana.

* * *

(6) Any owner, management company, or public institution and such person's or entity's ~~agents, employees, and assigns~~ while such person or entity is engaging in locksmithing services only on the premises of the owner or public institution during the normal course and scope of his duties. However, no person or entity excepted from licensure pursuant to this Paragraph shall engage in the sale, service, repair, design, or installation of ~~closed circuit television alarm systems,~~ access control devices, or systems both.

(7) Any maintenance employee of a property management company at a multifamily residential building while such person is servicing, installing, repairing, or opening mechanical locks for tenants.

* * *

§1662.6. Application for a Type A, Type A-1, ~~or~~ Type A-2, Type A-3 or Type A-4 license

A.

* * *

(3) In order to engage in locksmithing services or closed circuit television alarm system contracting, a company shall apply for and obtain a Type A-2, Type A-3 or Type A-4 license for each operating location doing business in the state. A Type A-2 license shall authorize a company to engage in locksmithing services. A Type A-3 license shall authorize a company to engage in locksmithing services as to mechanical locks for premises and mechanical, electrical or electronic locks for controlled access to safes, vaults, safe doors, lock boxes, automatic teller machines, or other devices only. A Type A-4 license shall authorize a company to engage in closed circuit television alarm system contracting only.

B. An applicant for a Type A or Type A-1 license shall submit the following to the fire marshal:

* * *

(6)(a) A statement that no officer or principal has been convicted of a felony, has received a first-time offender pardon for a felony, or has entered a plea of guilty or nolo contendere to a felony charge. A felony that has been dismissed pursuant to Code of Criminal

Procedure Article 893 or equivalent judicial dismissal shall not apply to this Paragraph.

(b) A conviction or a plea of guilty or nolo contendere **to a felony charge or receipt of a first-time offender pardon** shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a) if ten or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole; ~~Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.~~

* * *

(d) The office of state fire marshal, code enforcement and buildingsafety, may consider the seriousness and circumstances of the offense and subsequent arrests.

* * *

(9) A statement authorizing the fire marshal to order fingerprint analysis or any other analysis or documents deemed necessary by the fire marshal for the purpose of verifying the criminal history of a named officer or principal. **The fire marshal shall have the authority to conduct criminal history verification on a local, state or national level.**

* * *

C. An applicant for a Type A-2, **Type A-3 or Type A-4** license shall submit the following to the fire marshal:

* * *

(5) Evidence that the company has at least one employee who holds a Type I, **Type I-2, or Type J, Type J-2, or Type L** license at each of its operating locations.

(6)(a) A statement that no officer or principal has been convicted of a felony, has received a first-time offender pardon for a felony, or has entered a plea of guilty or nolo contendere to a felony charge. **A felony that has been dismissed pursuant to Code of Criminal Procedure Article 893 or equivalent judicial dismissal shall not apply to this Paragraph.**

(b) A conviction or a plea of guilty or nolo contendere **to a felony charge or receipt of a first-time offender pardon** shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a), if ten or more years have elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole; ~~Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.~~

* * *

(9) A statement authorizing the fire marshal to order fingerprint analysis or any other analysis or documents deemed necessary by the fire marshal for the purpose of verifying the criminal history of a named officer or principal. **The fire marshal shall have the authority to conduct criminal history verification on a local, state or national level.**

* * *

§1662.7. Issuance of Type A, Type A-1, ~~and~~ Type A-2, **Type A-3 and Type A-4** licenses; requirements to maintain

A. If the fire marshal finds that a company has met the requirements of R.S. 40:1662.6, he shall issue a Type A license to engage in alarm contracting, a Type A-1 license to engage in single station fire alarm contracting, ~~or~~ a Type A-2 **or a Type A-3** license to engage in locksmithing services **or a Type A-4 license to engage in closed circuit television alarm system contracting** to that company upon payment of the license fee authorized by this Subpart. Such license shall include the name of the designated agent of the alarm contracting company, single station fire alarm contracting

company, ~~or~~ locksmithing services company, **or closed circuit television alarm system contracting company** as applicable.

B. Each alarm contracting company, each single station fire alarm contracting company, ~~and~~ each locksmithing services company, **and each closed circuit television alarm system contracting company** shall be physically located within the boundaries of the state and shall clearly display its license in a conspicuous location at its place of business.

C. Each alarm contracting company shall employ a Type B license holder. Each single station fire alarm contracting company shall employ a Type G license holder. Each locksmithing services company shall employ a Type I **or Type I-2** or Type J **or Type J-2** license holder. **Each closed circuit television alarm system contracting company shall employ a Type L license holder.**

D. The designated agent of an alarm contracting company, a single station fire alarm contracting company, ~~or~~ locksmithing services company, **or closed circuit television alarm system contracting company** shall notify the fire marshal within ten days of the following:

* * *

(2)(a) Any change in ownership of or interest in the company ~~or if any owner, partner, or other principal with an interest in the company has been convicted of a felony or entered a plea of guilty or nolo contendere to a felony charge.~~

(b) Any owner, partner, or other principal with an interest in the company which has been convicted of a felony or entered a plea of guilty or nolo contendere to a felony charge or received a first-time offender pardon. A felony that has been dismissed pursuant to Code of Criminal Procedure Article 893 or equivalent judicial dismissal shall not apply to this Paragraph.

~~(b)(c)~~ A conviction or a plea of guilty or nolo contendere **to a felony charge or receipt of a first-time offender pardon** shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a) if ten or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole; ~~Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.~~

~~(e)(d)~~ Subparagraph (a) shall not apply to any person convicted of a crime of violence as defined in R.S. 14:2(13) **or a sex offense as defined in R.S. 15:541(14.1), with the exception of R.S. 14:92(7) and R.S. 14:80.**

~~(e)(d)~~ The office of state fire marshal, code enforcement and building safety may consider the seriousness and circumstances of the offense and subsequent arrests.

* * *

E.(1) In the event of the death of the sole Type B license holder employed by an alarm contracting company, the sole Type G license holder of a single station fire alarm contracting company, or the sole Type I **or Type I-2** or Type J **or Type J-2** license holder of a locksmithing services company, **or the sole Type L license holder of a closed circuit television alarm system contracting company** or the separation of any such license holder from his company for any other reason, the alarm contracting company shall employ another Type B license holder, the single station fire alarm contracting company shall employ another Type G license holder, and the locksmithing services company shall employ another Type I **or Type I-2** or Type J **or Type J-2** license holder, **the closed circuit television alarm system contracting company shall employ another Type L license holder,** within ninety days.

(2) In the event of the death of its designated agent or his separation from the company for any other reason, an alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company, or closed circuit television alarm system contracting company shall name another owner or manager as its designated agent within ninety days and shall notify the fire marshal of such designation within ten days.

F. Each alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company, or closed circuit television alarm system contracting company doing business in the state shall be open for inspection by the fire marshal or his designated representative at any reasonable time for the purpose of observation and collection of facts and data relating to proper enforcement of this Subpart. No person acting on behalf of an alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company, or closed circuit television alarm system contracting company shall refuse to admit the fire marshal or his designated representative to an operating location.

§1662.8. Application for an individual license

A. In order to engage in alarm contracting, single station fire alarm contracting, ~~or~~ locksmithing services, or closed circuit television alarm system contracting, a person shall hold an individual license issued by the fire marshal. Such a license shall authorize its holder to engage in alarm contracting, single station fire alarm contracting, ~~or~~ locksmithing services or closed circuit television alarm system contracting, only to the extent of its terms as further provided in this Section.

B. Any person desiring to engage in alarm contracting, single station fire alarm contracting, ~~or~~ locksmithing services, or closed circuit television alarm system contracting shall apply to the fire marshal on a form specified and provided by the fire marshal. Such application shall be accompanied by:

* * *

(2) Documentation that the applicant meets requirements applicable to the type of license for which he is applying, as follows:

* * *

(g) For a Type I license: successful completion of a standardized program approved by the board and acceptable to the state fire marshal, except that an individual who can demonstrate that he has been actively engaged in locksmithing for a minimum of five years prior to August 1, 2004, shall not be required to complete a standardized program.

(h) For a Type J license: successful completion of a standardized program approved by the board and acceptable to the state fire marshal, except that an individual who can demonstrate that he has been actively engaged in locksmithing for a minimum of five years prior to August 1, 2004, shall not be required to complete a standardized program.

(i) For a Type I-2 license: successful completion of a standardized program approved by the board and acceptable to the state fire marshal, except that an individual who can demonstrate that he has been actively engaged in locksmithing for a minimum of five years prior to August 1, 2004, shall not be required to complete a standardized program.

(j) For a Type J-2 license: successful completion of a standardized program approved by the board and acceptable to the state fire marshal, except that an individual who can demonstrate that he has been actively engaged in locksmithing for a minimum of five years prior to August 1, 2004, shall not be required to complete a standardized program.

(k) For a Type L license: successful completion of a standardized program approved by the board and acceptable to the state fire marshal, except that an individual who can demonstrate that he has been actively engaged in closed circuit television alarm system contracting for a minimum of five years prior to August 1, 2004, shall not be required to complete a standardized program.

(3)(a) A statement by the applicant that he has not been convicted of a felony, received a first-time offender pardon for a felony, or entered a plea of guilty or nolo contendere to a felony charge. A felony that has been dismissed pursuant to Code of Criminal Procedure Article 893 or equivalent judicial dismissal shall not apply to this Paragraph.

(b) A conviction or a plea of guilty or nolo contendere to a felony charge or receipt of a first-time offender pardon shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a) if ten or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole, ~~Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.~~

* * *

(4) A statement authorizing the fire marshal to order fingerprint analysis or any other analysis or documents deemed necessary by the fire marshal for the purpose of verifying the applicant's criminal history. The state fire marshal shall have the authority to conduct criminal history verification on a local, state or national level.

* * *

§1662.9. Issuance of individual licenses; requirements to maintain

A. The fire marshal is authorized to issue individual licenses to qualified applicants, as follows:

* * *

(3) Type D license: Alarm System Apprentice. Such license shall authorize its holder to prewire, install, maintain, repair, test, inspect, or service an electronic protective system only while under the direct supervision of a Type B or C license holder in the same employ of an alarm contracting company. Such license shall also authorize its holder to observe the design and/or sale of an electronic protective system in the company of a Type E or F license holder in the same employ of an alarm contracting company.

* * *

(5) Type E license: Alarm System Salesperson. Such license shall authorize its holder to design, plan, specify, lay out, or sell an electronic protective system while in the employ of an alarm contracting company. Such license shall also authorize its holder to observe the installation and/or service of an electronic protective system in the company of a Type B or C license holder in the same employ of an alarm contracting company.

* * *

(11) Type K license. Locksmith apprentice. Such license shall authorize its holder to perform the functions of a Type I or Type I-2, or Type J, or Type J-2 licensee while working under the direct supervision of a person holding a Type I or Type I-2 or Type J, or Type J-2 license.

(12) Type I-2 license: Locksmith (limited). Such license shall authorize its holder to engage in locksmithing services as to mechanical locks for premises and mechanical, electrical or

electronic locks for controlled access to safes, vaults, safe doors, lock boxes, automatic teller machines, or other devices only.

(13) Type J-2 license: Locksmith shop technician (limited). Such license shall authorize its holder to engage in locksmithing serves as to mechanical locks for premises and mechanical, electrical or electronic locks for controlled access to safes, vaults, safe doors, lock boxes, automatic teller machines, or other devices only within the confines of the operating location of the locksmithing services company employing such individuals.

(14) Type L license: Closed circuit television alarm system technician. Such license shall authorize its holder to engage in closed circuit television alarm system contracting only.

C. Each individual licenseholder shall maintain his license on his person while engaging in any type of alarm contracting, single station fire alarm contracting, or locksmithing services, **or closed circuit television alarm system contracting** as applicable. Each such licenseholder shall present his license for inspection upon demand by an employee of the office of the state fire marshal or a law enforcement officer.

D. Each individual licenseholder shall notify the fire marshal, on a form specified and provided by the fire marshal, within ten days of the following:

(1) Any change in business **or home** address.

(3) Any conviction for a felony or entry of a plea of guilty or nolo contendere to a felony charge **or receipt of a first-time offender pardon.**

E. No individual licensed under this Section shall contract for his services as an independent contractor or agent with any alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company, **or closed circuit television alarm system contracting company** or with any other licenseholder under this Section. No alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company, **or closed circuit television alarm system contracting company** shall contract for the independent services of a holder of an individual license under this Section.

§1662.11. License renewal; continuing education requirements

A.

(2) Each licensee renewing a Type B, C, E, G, I, ~~I-2, or J, J-2, or L~~ license shall additionally submit the materials required by R.S. 40:1662.8(B) and documentation of having satisfactorily completed continuing education requirements as established by the board.

§1662.12. Fees; Alarm Regulatory Trust Fund

A. The fire marshal is authorized to assess and collect fees pursuant to this Subpart, the amount of which shall not exceed the following:

(2) Provisional or original Type A, A-1, ~~or A-2, A-3 or A-4~~ license fee \$200.00

(5) Reinstatement fee for a Type A, A-1, ~~or A-2, A-3 or A-4~~ license \$200.00

§1662.14. Classification of offenses or prohibited acts

A. Class I offenses shall be as follows:

(2) Failure of an alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company **or closed circuit television alarm system contracting company** to timely notify the fire marshal of certain changes in the status of the licensee as required by R.S. 40:1662.7 and 1662.9(D).

(3) Failure of an alarm contracting company, single station fire alarm contracting company, ~~or~~ locksmithing services company, **or closed circuit television alarm system contracting company,** as applicable, to do either of the following:

(b) Replace a required Type B, Type G, Type I, ~~Type I-2, or Type J, Type J-2 or Type L~~ license holder or its designated agent and to timely notify the fire marshal as required by R.S. 40:1662.7.

(5) Assisting an unlicensed person or company to engage in alarm contracting, single station fire alarm contracting, ~~or~~ locksmithing services **or closed circuit television alarm system contracting** as prohibited by R.S. 40:1662.4~~(B)~~ **(C).**

C. A Class III offense shall be as follows:

(2) Engaging in alarm contracting, single station fire alarm contracting, ~~or~~ locksmithing services **or closed circuit television alarm system contracting** without a license as prohibited by R.S. 40:1662.4(A) and (C).

(3) Engaging in alarm contracting, single station fire alarm contracting, ~~or~~ locksmithing services **or closed circuit television alarm system contracting** during suspension of one's license.

(5) Failure by an alarm contracting company or single station fire alarm contracting company to maintain a general liability ~~and errors and omissions~~ policy as required by R.S. 40:1662.6 or to maintain workers' compensation insurance as required by state law.

(6) Failure by a locksmithing services company **or closed circuit television alarm system contracting company** to maintain a general liability insurance policy, or its equivalent, as required by R.S. 40:1662.6 and a workers' compensation insurance policy as required by state law.

(7) Engaging in false, misleading or deceptive acts or practices.

§1662.15. Penalties

B. A Class I offense shall be punishable by any or all of the following:

(2) Probation of licensure for not more than twelve months. Such probation may include placement of restrictions on the alarm contracting, single station fire alarm contracting, ~~or~~ locksmithing services, **or closed circuit television alarm system contracting** activities and the license of the offender. Any subsequent offense committed during probation will make the offender subject to penalties for a Class II offense.

§1662.16. Effect on local regulation

R.S. 1662.16(D) is all proposed new law.

D. Additionally, beginning on August 15, 2004, this Subpart shall supersede any existing parish or municipal ordinance, rule, or regulation requiring certification or licensure of companies and persons engaged in closed circuit television alarm system contracting,

and such ordinances, rules, and regulations shall be null, void and of no effect.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Hollis, the committee substitute bill was adopted and becomes Senate Bill No. 876 by Senator Ullo, substitute for Senate Bill No. 857 by Senator Ullo.

SENATE BILL NO. 876 (Substitute for Senate Bill No. 857 by Senator Ullo)—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 40:1662.3(6), (7), (12), (14), (15), (17), (24), (26), (27), and (28), 1662.4(A)(3) and (4), (B), the introductory paragraph of (C), (C)(1), (3), (4), (6), and (7), 1662.6(A)(3), (B)(6)(a) and (b) and (9), (C)(5) and (6)(a) and (b), and (9), 1662.7(A), (B), (C), (D)(2), (E), and (F), 1662.8(A), (B)(2)(g) and (h), (3)(a) and (b), and (4), 1662.9(A)(3), (5) and (11), (C), (D)(1) and (3), and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.14(A)(2), (3)(b), and (5), (C)(2), (3), (5), and (6), and 1662.15(B)(2), and to enact R.S. 40:1662.3(29), 1662.8(B)(2)(i), (j) and (k), 1662.9(A)(12), (13) and (14), 1662.14(C)(7), and 1662.16(D), relative to public health and safety; to provide for alarm industry and locksmith licensing standards; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 114—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 22:1404(3)(d)(iii), relative to automobile liability insurance rates; to provide for discounts; to provide for defensive driving; to provide for senior drivers; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 269—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:234(A)(introductory paragraph), 237(A)(introductory paragraph), (B), and (D), 238, and 240(B)(3), (D), and (F)(4) and to repeal R.S. 22:234(A)(11), relative to the Louisiana Health Plan; to provide relative to the board of directors of the plan, eligibility requirements,

administration of the benefits plan of the plan, and benefit availability; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 269 by Representative Erdey

AMENDMENT NO. 1

On page 5, after line 7, insert the following:

"Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 349—

BY REPRESENTATIVES HEBERT, K. CARTER, ERDEY, FAUCHEUX, JACKSON, MORRISH, GARY SMITH, TOWNSEND, TUCKER, AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:636.2(D), relative to property, casualty, and liability insurance; to provide for claims; to provide for homeowners' policies; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 349 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 18, between "payment" and "under" insert the following: "by the insured or the insured's representative"

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 352—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:5(10) and 215(A)(1)(a)(iv) and (vi), relative to health insurance; to provide with respect to coverage provided through an employee benefit trust, a multiple benefit trust, or an association; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 360—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 40:1728.1, relative to the state uniform construction code; to provide for a fee schedule for enforcement of the code by the state fire marshal on behalf of political subdivisions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 419—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 4:144(B), relative to members of the State Racing Commission; to prohibit a horse owned directly or indirectly by a commission member from racing in Louisiana; to provide for consequences; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 643—

BY REPRESENTATIVES HEBERT AND CROWE

AN ACT

To enact R.S. 22:14(E), relative to life insurance policies; to provide for a database; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 643 by Representative Hebert

AMENDMENT NO. 1

On page 1, delete lines 8 through 10 in their entirety and insert in lieu thereof the following: "E. The central database shall include the existence of and the initial amount of coverage for credit life insurance as defined in R.S. 22:6(16)(a) but the insurer shall not be required to update the central database as to any periodic adjustment in the amount of coverage under the policy."

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 726—

BY REPRESENTATIVE WALKER

AN ACT

To enact R.S. 40:2006(A)(2)(n), (o), and (p) and (B)(2)(f),(g), and (h), relative to the powers of the Department of Health and Hospitals; to provide for the ability to assess fees for psychiatric residential treatment facilities, children's respite care centers, and other licensed DHH facilities; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 742—

BY REPRESENTATIVES CAZAYOUX AND DURAND

AN ACT

To amend and reenact R.S. 46:114.3(B), (C), and (D), relative to regional fraud detection units; to provide for subpoenas and subpoenas duces tecum; to include businesses and legal entities; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 744—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND SALTER

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 744 by Representative Lancaster

AMENDMENT NO. 1

On page 3, delete lines 6 and 7 and insert the following:

"D. The provisions of Subsection A of this Section shall not apply to any application for a license or permit or to any record of negotiations concerning any hazardous waste or waste site, as "hazardous waste" and "waste" are defined in R.S. 30:2173.

E. The provisions of this Section shall have no effect unless the party whose information is being maintained confidential maintains as confidential any information provided to the party by the Department of Economic Development in response to a request for assistance in the retention, expansion, or location of a business in the state and which is a negotiation and which remains an active negotiation.

F. The provisions of this Section shall be voided and have no effect beginning with any negotiations that begin on or after July 1, 2008."

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 857—

BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 37:3447(A)(5), relative to vocational rehabilitation counselors; to provide for licensure requirements; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 897—

BY REPRESENTATIVES PINAC AND WALSWORTH
AN ACT

To amend and reenact R.S. 51:911.22(1) and (10)(introductory paragraph), 51:911.24(C), and 911.26(I), and to enact R.S. 51:912.22(9), relative to manufactured housing; to provide for revisions to the Uniform Standards Code for Manufactured Housing; to provide for certain requirements for obtaining a developer's license; to provide for independence of the administrative agent appointed by the governor; to provide for certain marriage line requirements on multisectional manufactured homes; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 897 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2 delete "51:911.24(C)," and insert "911.24(C) and (J)(1)."

AMENDMENT NO. 2

On page 1, at the beginning of line 3 delete "and 911.26(I)," and insert "911.26(I), and 911.41,"

AMENDMENT NO. 3

On page 1, line 10 delete "51:911.24(C), and" and insert "911.24(C) and (J)(1)."

AMENDMENT NO. 4

On page 1, line 11 after "911.26(I)" insert ", and 911.41"

AMENDMENT NO. 5

On page 2, between lines 16 and 17 insert the following:

"J.(1) Prior to January 1, 2005, and each year thereafter, all retailers and developers shall annually take a commission-approved continuing education course. The individual required to attend the continuing education course is the individual license holder; for corporations, an officer or manager; for partnerships, a partner or manager. The commission shall set the educational requirements and approve providers and the course materials for all continuing education classes.

* * *

AMENDMENT NO. 6

On page 2, after line 29 insert the following:

"§911.41. Supremacy of the Part

~~No other method or code shall be used in this state for determining compliance with universal safety systems for manufactured homes. Notwithstanding any provision of law to the contrary, the codes and standards referenced in R.S. 51:911.21, et seq. and R.S. 51:912.21, et seq., and those adopted by the commission, shall be the only construction and installation standards used for manufactured housing in Louisiana, and these standards shall preempt all local standards as they relate to the construction and installation of manufactured housing and manufactured homes in Louisiana.~~

* * *

AMENDMENT NO. 7

On page 3, after line 7 insert the following:

"Section 2. This Act shall become effective on July 1, 2004."

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 911—

BY REPRESENTATIVES LANCASTER, FRITH, MARCHAND, MURRAY, PINAC, T. POWELL, RITCHIE, STRAIN, TRAHAN, TUCKER, AND WHITE

AN ACT

To amend and reenact Chapter 7 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:551 through 570.6, relative to foreign banks; to provide for functions and powers of such banks; to provide for certain prohibited activities; to provide for certain additional powers and functions of foreign banks in Louisiana; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 911 by Representative Lancaster

AMENDMENT NO. 1

On page 4, line 24 after "state through" delete "an" and insert "a state"

AMENDMENT NO. 2

On page 5, line 10 after "operate" delete "an" and insert "a state"

AMENDMENT NO. 3

On page 6, line 15 after "subsequent" insert "state"

AMENDMENT NO. 4

On page 8, line 1 before "Agency" insert "State"

AMENDMENT NO. 5

On page 8, line 3 after "state through" delete "an" and insert "a state"

AMENDMENT NO. 6

On page 8, line 21 after "A." delete "A" and insert "With the authorization of the commissioner of financial institutions, a"

AMENDMENT NO. 7

On page 9, at the end of line 9 delete "an" and insert "a state"

AMENDMENT NO. 8

On page 9, between lines 25 and 26 insert the following: "D. A branch of a foreign bank operating in this state may not accept public deposits."

AMENDMENT NO. 9

On page 11, line 8 after "for a" delete "license" and insert "certificate of authority"

AMENDMENT NO. 10

On page 12, line 14 after "state" insert "and subject to this Chapter"

AMENDMENT NO. 11

On page 12, line 21 after "revocation of the" delete "license" and insert "certificate of authority"

AMENDMENT NO. 12

On page 12, line 22 after "B." delete "The foreign bank" and insert "Every foreign bank operating in this state and subject to this Chapter"

AMENDMENT NO. 13

On page 13, line 4 after "foreign bank" delete "licensed" and insert "which has been granted a certificate of authority"

AMENDMENT NO. 14

On page 13, at the end of line 12 delete "license" and insert "certificate of authority"

AMENDMENT NO. 15

On page 13, line 23 after "authorized" delete "entities" and insert "offices"

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1053—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:39(D), relative to domestic insurers; to provide for securities; to provide for brokerage accounts; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1070—

BY REPRESENTATIVE PINAC AND SENATORS HOLLIS AND MICHOT

AN ACT

To amend and reenact R.S. 37:3173(A)(3) and 3182 and to enact R.S. 37:3186, relative to interior designers; to provide for terms of office of the members of the board; to provide for an increase in

fees; to prohibit certain acts; to provide penalties; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1143—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1145—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1209—

BY REPRESENTATIVE SHEPHERD

AN ACT

To amend and reenact R.S. 32:1254(N)(3)(f), relative to motor vehicle sales; to provide relative to spot delivery sales; to provide for immediate refund of prospective purchaser's deposit; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1284—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1253(A)(introductory paragraph) and (2), relative to the Louisiana Motor Vehicle Commission; to correct reference to the number of board members; to delete special provision for broker member; to require one member to be primarily engaged in the business of lease or rental; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 1284 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 32:1253(A)" delete "(introductory paragraph) and"

AMENDMENT NO. 2

On page 1, line 8 after "R.S. 32:1253(A)" delete "(introductory paragraph) and"

AMENDMENT NO. 3

On page 1, line 14 change "fourteen" to "fifteen"

AMENDMENT NO. 4

On page 1, line 17 after "(2)" delete "(a)"

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1361—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:3053(A)(2), to enact R.S. 22:3053.1, and to repeal R.S. 22:3059(A)(1), (2), and (3) and (C) and 3064, relative to the sale of insurance products; to provide for financial institutions; to provide for statements; to provide for marketing; to provide for records; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1408—

BY REPRESENTATIVES DANIEL, KENNARD, BRUCE, CROWE, DOERGE, FRITH, MARCHAND, PINAC, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, WALSWORTH, AND WHITE

AN ACT

To amend and reenact R.S. 4:420, 421(A)(2) through (9), 422, 423(B), (G)(3), (H), and (I), 424, 426, 432, and 433 and to enact R.S. 4:421(A)(10) through (14), 422.1(A)(5), 423(G)(4), 425(D), 427(A)(6) and (7) and (D), and 430(C), relative to athlete agents; to provide for legislative purpose; to provide for definitions; to provide for registration; to provide for denial or revocation of registration; to provide for notice to head coach instead of president of institution; to provide for notice to athlete; to provide for contract relationship between athlete and institution or school; to provide for duties and obligations; to provide relative to contact with athletes; to provide for prohibited activities; to provide for recordkeeping; to provide for attorney athlete agents; to provide remedies and penalties; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1420—

BY REPRESENTATIVES PINAC, BRUCE, DOERGE, FLAVIN, FRITH, JACKSON, MARCHAND, T. POWELL, RITCHIE, WHITE, AND WINSTON

AN ACT

To enact R.S. 37:2156(C)(3), relative to contractors; to require the license renewal form to include a donation portion; to provide for collection and remittance of such donations; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1450—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 18:402(B), (E)(1)(b) and (2)(b), and (F)(2), 467(2), 469(D)(2), and 1272(A), relative to election dates; to provide for the dates of the congressional elections and other elections held at the same time as the congressional elections; to provide for qualifying periods for such elections; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1450 by Representative Morrell

AMENDMENT NO. 1

On page 3, line 10, after "election," insert "However, if the primary election is held in December of an even-numbered year, the general election for the office shall be held on the third Saturday in January after the primary election."

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact Part VI-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.51 through 250.62, relative to health insurance; to provide relative to prompt payment of health insurance claims submitted by pharmacies or pharmacists; to provide with respect to usage of nationally recognized benchmarks to calculate the reimbursement to be paid to pharmacies or pharmacists by health insurance issuers; to provide for definitions; to provide with respect to violations, cease and desist orders, and penalties; to provide for coordination of benefits; to provide for recoupment; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1468 by Representative Townsend

AMENDMENT NO. 1

On page 6, line 26, after "claim." delete the rest of the line and delete line 27

AMENDMENT NO. 2

On page 10, line 16 after "No." insert "1714"

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1487—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 40:41(J), relative to death certificates; to require the state registrar of vital records to issue a copy of a death certificate to the Office of Student Financial Assistance, and the office of the attorney general, under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1493—

BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 32:771(4) and 773.2(B) and to enact R.S. 32:773.2(G) and (H), relative to used motor vehicles and marine product dealers; to define "boat package"; to provide relative to area of responsibility; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1574—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 22:635.4, relative to homeowners insurance; to provide for conversion of policy forms; to provide for approval by the commissioner; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1692—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 22:613(C)(2) and to enact R.S. 22:613(C)(4) and (5), relative to insurable interest; to provide for the insurable interest of an employer in the life of an employee; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original House Bill No. 1692 by Representative Downs

AMENDMENT NO. 1

On page 1, line 14, delete "do not"

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 271 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 271—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:4569.3(11), relative to the Iberville Parks and Recreation District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Senate and Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate and Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATOR DUPRE
A CONCURRENT RESOLUTION

To recognize the Isle de Jean Charles Band of the Biloxi-Chitimacha Confederation of Muskogees ("BCCM"), the Bayou Lafourche Band of the BCCM, the Grand Caillou/Dulac Band of the BCCM, known collectively as the "BCCM Tribes" and the Points-au-Chien Indian Tribe ("PACIT")

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Concurrent Resolution No. 105 by Senator Dupre

AMENDMENT NO. 1

On page 1, lines 5 and 10 change "Points" to "Pointe"

AMENDMENT NO. 2

On page 1, line 10 change "tribe" to "Tribe"

AMENDMENT NO. 3

On page 2, lines 5, 28 and 30 change "Points" to "Pointe"

AMENDMENT NO. 4

On page 2, line 21 change "Points aux Chenes" to "Pointe-aux-Chenes"

AMENDMENT NO. 5

On page 3, lines 1, 10, 11, 17 and 22 change "Points" to "Pointe"

AMENDMENT NO. 6

On page 4, line 4 after "tribes are" insert "either"

AMENDMENT NO. 7

On page 4, line 5 after "Legislature," insert "or the members of theses tribes have their Indian ancestry reacknowledged by the state,"

AMENDMENT NO. 8

On page 4, line 8 after "formally" delete "recognizes" and insert "reacknowledges the Indian ancestry of members of"

AMENDMENT NO. 9

On page 4, line 11 change "Points" to "Pointe" and after "Tribe" delete "as Indian tribes of the state" and insert "for the sole purpose of qualfyng for Indian education and health care benefits due these Native American citizens"

AMENDMENT NO. 10

On page 4, delete lines 12 through 30

On motion of Senator Jones, the committee amendment was adopted.

The amended resolution was read by title and returned to the calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 257—

BY SENATORS MCPHERSON AND ROMERO

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide relative to the automatic renewal of certain contracts; to provide for the terms for the termination of such contracts; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Ellington

Malone

Adley
Amedee
Bajoie
Barham
Boasso
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total—37

Total—0

Boissiere
Total—2

Fields
Fontenot
Gautreaux, B
Gautreaux, N
Hainkel
Heitmeier
Holden
Hollis
Irons
Jackson
Jones
Lentini
Marionneaux
McPherson
Michot
Mount
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

ABSENT

Kostelka

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 490—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:150(C)(1) and (F)(1) and to enact R.S. 15:150(B)(3), relative to regional defense service centers; to provide that a regional defense service center shall include a regional juvenile defense center; to grant a regional defense service center authority to contract for representation of juveniles in all courts having juvenile jurisdiction; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Amedee
Bajoie
Barham
Boasso
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total—35

Total—0

Ellington
Fontenot
Gautreaux, B
Gautreaux, N
Hainkel
Heitmeier
Holden
Hollis
Irons
Jackson
Jones
Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

ABSENT

Mr. President	Fields
Boissiere	Kostelka
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Fields in the Chair

SENATE BILL NO. 523—
BY SENATOR BAJOIE

AN ACT

To enact R.S. 14:95.2.1, relative to offenses affecting public safety; to provide for the crime of illegally carrying of firearms during a parade or demonstration when used to commit certain crimes; to provide for definitions; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Boissiere	Kostelka
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 535—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a) and 1300.53(A)(1)(a), relative to certain care facilities; to provide relative to criminal history; to provide relative to the conviction of certain crimes; to provide relative to employment of

nonlicensed persons in certain care facilities; to prohibit such employment for persons convicted of such crimes; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Chaisson	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Cain	Kostelka
Boissiere	Cheek	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 764—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 13:4062, relative to suits against the state; to provide relative to injunctions in such suits; to provide relative to the prohibition of injunctions against the state in suits involving the expenditure of state funds when such expenditures would create a deficit; to require an affidavit to certify the potential deficits and to provide relative to traversal of such affidavit; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	

Total—35

NAYS

Total—0

ABSENT

Mr. President
Boissiere
Total—4

Cain
Hainkel

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 833—

BY SENATOR MARIONNEAUX
AN ACT

To enact Code of Civil Procedure Art. 2124(F), relative to civil procedure; to provide relative to the appellate procedure; to require the imposition of a security bond in any appeal proceeding; to provide for the amount of such bond; to require the loss of bond if appeal is unsuccessful; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Bajoie	Irons	
Cravins	Jackson	

Total—7

NAYS

Adley	Fontenot	Malone
Amedee	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Dardenne	Jones	Smith

Duplessis	Kostelka	Theunissen
Ellington	Lentini	Ullo

Total—30

ABSENT

Boissiere
Total—2

Dupre

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Marionneaux, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

House Concurrent Resolutions on Second Reading Reported by Committees

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 14—

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To express that the intent of the Louisiana Legislature in enacting Act No. 351 of the 2003 Regular Session, relative to creating a flexible rating process for property and casualty insurance rates, was to restrict any one insurance company to cumulatively increasing such rates by not more than ten percent in any twelve-month period following January 1, 2004, using such flexible rating process.

Reported favorably by the Committee on Insurance.

The resolution was read by title. Senator Heitmeier moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Boissiere

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE SHEPHERD

A CONCURRENT RESOLUTION

To urge and request the office of family support, support enforcement services, Department of Social Services to study all aspects relating to the treatment of subsequent children in child support awards and make specific recommendations for legislation.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Concurrent Resolution No. 42 by Representative Shepherd

AMENDMENT NO. 1

On page 2, line 2, after "Department of Social Services" and before "and the" insert ", the Children's Cabinet,"

On motion of Senator McPherson, the committee amendment was adopted.

The resolution was read by title. Senator Fields moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere

Total—1

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the Department of Health and Hospitals to study the correlation between nighttime water and air temperature and the development of *Vibrio vulnificus* in oysters harvested during those times.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Boasso moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the development and implementation of a plan for the management of nuisance fish around oyster beds.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Boasso moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVES ODINET AND HUTTER

A CONCURRENT RESOLUTION

To memorialize the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers to promptly close the Mississippi River Gulf Outlet in the manner contemplated by the Coast 2050 Plan and to memorialize the United States Congress and the Louisiana Congressional Delegation to authorize the full funding capability of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title. Senator Boasso moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux

Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2004-2005, as adopted by the Wetlands Conservation and Restoration Authority.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Romero moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 110—
BY REPRESENTATIVES TUCKER, BEARD, BURNS, DOWNS, FANNIN, FUTRELL, M. GUILLORY, HUTTER, KATZ, LAMBERT, PITRE, M. POWELL, QUEZAIRE, AND SMILEY

A CONCURRENT RESOLUTION

To direct the House and Senate Transportation, Highways and Public Works Committees to meet and to function as a joint committee to study and make recommendations regarding the re-creation of the Department of Transportation and Development, including but not limited to recommendations regarding the elimination or consolidation of programs or activities which are inactive, unnecessary, or which duplicate other governmental entities, or the elimination of inefficient or ineffective programs, or programs which are inconsistent with the intent of re-creating the department, and to report the findings of the joint committee to the legislature and the Department of Transportation and Development no later than February 1, 2005.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed House Concurrent Resolution No. 110 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, delete "direct" and insert "urge and request"

AMENDMENT NO. 2

On page 2, line 17, delete "direct" and insert "urge and request"

On motion of Senator Hainkel, the amendments were adopted.

Senator Ellington moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler

Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to provide to the Louisiana Oyster Task Force information which would delineate the projected salinity regimes for a five-year period and a three-year projection of areas that will be restricted to oyster leasing.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Boasso moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVE FAUCHEUX**A CONCURRENT RESOLUTION**

To urge and request the Wildlife and Fisheries Commission to eliminate doe days and increase buck days during certain deer hunting seasons within the Maurepas Swamp Wildlife Management Area.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original House Concurrent Resolution No. 151 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 2, after "Commission to" delete the remainder of the line and delete line 3 and insert "study deer hunting seasons within the Maurepas Swamp"

AMENDMENT NO. 2

On page 1, delete lines 13 and 14 and insert "and request the Wildlife and Fisheries Commission to study deer hunting seasons within"

On motion of Senator Malone, the committee amendment was adopted.

The resolution was read by title. Senator Malone moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

NAYS

Ellington	Kostelka
Hainkel	Smith
Total—4	

ABSENT

Boissiere	Cain
Total—2	

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Police to increase public awareness of the existence of Louisiana's Sex Offender Registry through the use of public service announcements, including but not limited to providing information on how to access and search the database.

Reported favorably by the Committee on Judiciary C.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVES WALKER, BROOME, BURNS, R. CARTER, CURTIS, DOERGE, DORSEY, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, KATZ, LABRUZZO, MARCHAND, MCDONALD, STRAIN, WADDELL, AND WINSTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to study and consider revising the income guidelines for senior citizens and reduce them by ten percent so that they may participate in or receive more assistance through the federal food stamp program.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVES WINSTON AND DURAND
A CONCURRENT RESOLUTION

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Nevers moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith

Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Boissiere
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Rules Suspended

Senator Nevers asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 303 out of its regular order.

HOUSE BILL NO. 303—

BY REPRESENTATIVES R. CARTER AND MCVEA AND SENATOR NEVERS

AN ACT

To enact R.S. 30:2154(B)(2)(g), relative to solid waste; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the registration and permitting of certain solid waste facilities in St. Helena Parish; and to provide for related matters.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed House Bill No. 303 by Representative R. Carter

AMENDMENT NO. 1

On page 1, line 2, after "(g)" insert "and (h)"

AMENDMENT NO. 2

On page 1, line 4, delete "St. Helena Parish" and insert in lieu thereof "certain parishes"

AMENDMENT NO. 3

On page 1, line 10, after "(g)" insert "and (h)"

AMENDMENT NO. 4

On page 1 between lines 20 and 21, insert the following:

"(h) Any expansion of a solid waste disposal facility located within parishes having a population of between four hundred twelve

thousand and four hundred fifty-five thousand people according to the most recent U.S. Decennial Census shall receive and dispose of residential, commercial and industrial solid waste generated only within such parishes."

Senator Holden moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux, B	Jones
Boasso	Gautreaux, N	Malone
Cheek	Heitmeier	Michot
Cravins	Holden	Mount
Duplessis	Irons	
Total—14		

NAYS

Amedee	Fontenot	Nevers
Bajoie	Hainkel	Romero
Barham	Hollis	Schedler
Cain	Jackson	Smith
Chaisson	Kostelka	Theunissen
Dardenne	Marionneaux	Ullo
Dupre	McPherson	
Total—20		

ABSENT

Mr. President	Ellington	Lentini
Boissiere	Fields	
Total—5		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed House Bill No. 303 by Representative Robert Carter

AMENDMENT NO. 1

On Page 1, after line 17, after "(g)" insert the following: "The effects of this Act shall become null and void on January 1, 2012."

AMENDMENT NO. 2

On Page 1, after line 21, insert the following: "Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Nevers, the amendments were adopted.

Senator Hainkel in the Chair

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 303 by Representative Robert Carter

AMENDMENT NO. 1

On page 1, line 17, after "(g)" delete "Notwithstanding" and insert "Effective until January 1, 2007, notwithstanding"

Senator Adley moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux, B	Malone
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cheek	Heitmeier	Smith
Dardenne	Jackson	Theunissen
Duplessis	Lentini	
Total—17		

NAYS

Amedee	Fields	McPherson
Bajoie	Fontenot	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Ullo
Dupre	Kostelka	
Ellington	Marionneaux	
Total—19		

ABSENT

Mr. President	Boissiere	Jones
Total—3		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Nevers moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
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Amedee	Gautreaux, N	McPherson
Bajoie	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cravins	Irons	Schedler
Dupre	Jackson	Ullo
Ellington	Jones	
Fields	Kostelka	
Total—25		

NAYS

Adley	Dardenne	Malone
Barham	Duplessis	Michot
Boasso	Gautreaux, B	Smith
Cheek	Lentini	Theunissen
Total—12		

ABSENT

Boissiere	Hainkel
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Holden asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 100— BY SENATOR KOSTELKA

A RESOLUTION

To recognize and commend Scotty Daniel for forty-three years of dedication to youth baseball and for his role as a mentor to many young athletes.

On motion of Senator Kostelka, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 101— BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Malcolm "Mal" Cooley.

On motion of Senator Kostelka, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 102— BY SENATORS AMEDEE AND FONTENOT A RESOLUTION

To honor and express the gratitude of the citizens of Louisiana to the gallant World War II veterans who gave their lives for freedom and to remember the millions of those brave individuals who have died since.

On motion of Senator Amedee, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 132— BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To direct the governor of the state of Louisiana, the president of the Senate, and the speaker of the House of Representatives to, individually or jointly, take appropriate action to prohibit smoking throughout the state capitol thereby creating and declaring the capitol a "smoke-free" environment.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 107— BY SENATOR BOASSO

A CONCURRENT RESOLUTION

To create the Joint Legislative Commission on Saltwater Fisheries and the Ad Hoc Saltwater Fisheries Advisory Board to study and make recommendations to the legislature on a revision of the state's saltwater fisheries laws and regulations as they pertain to commercial and recreational fishing.

Reported with amendments

HOUSE BILL NO. 106— BY REPRESENTATIVE FARRAR AN ACT

To amend and reenact R.S. 34:851.31(A)(1) and to enact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around public boat launches and public and commercial docking facilities; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 117—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:8(28.1) and 320(B)(3), relative to crab traps; to provide that only crab traps located south of the northern bank of the Intracoastal Waterway must be marked with floats; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 201—

BY REPRESENTATIVES DARTEZ AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:305(B)(4)(f) and 322.2(G), relative to use of shad gill nets; to authorize such use in certain waterbodies; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 415—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:305.6, relative to moratoriums on the purchase of crab trap gear licenses; to institute a moratorium from January 1, 2005 through December 31, 2005; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 849—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 56:109.1, relative to wildlife management areas; to provide for the use of all-terrain vehicle trails in such areas year round; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 1319—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:6(30), relative to private ownership of certain animals; to authorize the secretary to promulgate rules and regulations to prohibit exotic big cats such as tigers, lions, leopards, and jaguars from being imported or privately owned; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 1374—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 56:303(F), relative to commercial fishing; to provide for a senior commercial fishing license for persons sixty-five and older; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 1456—

BY REPRESENTATIVES PIERRE, DANIEL, FRITH, MORRISH, AND JACK SMITH

AN ACT

To amend and reenact R.S. 56:109(D)(5) and 647.1 and to enact R.S. 56:104(D) and 302.2(C), relative to hunting and fishing licenses; to authorize exemptions from certain licensing requirements; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 1467—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 56:25 and to repeal R.S. 56:26, 644, and 645, relative to fish and wildlife restoration and management projects; to specify that the department will adhere to the provisions of federal law which govern the use of federal funds for fish and wildlife habitat restoration projects; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 1516—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 56:499(D), relative to shrimp nets; to provide for the relative location of stationary shrimp nets; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 1555—

BY REPRESENTATIVE WALSWORTH
AN ACT

To authorize and provide for the transfer of certain state property in Ouachita Parish to the governing authority of Ouachita Parish; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 1560—

BY REPRESENTATIVE CROWE
AN ACT

To authorize and provide for the transfer of certain state property in St. Tammany Parish to the St. Tammany Parish School Board; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 1621—

BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 56:123, relative to killing animals; to prohibit killing zoo or circus animals for sport; to provide for violations; and to provide for related matters.

Reported with amendments

Respectfully submitted,
MAX T. MALONE

Chairman
D.A. "BUTCH" GAUTREAUX
Vice Chairman

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS, AND
PUBLIC WORKS**

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

May 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

SENATE BILL NO. 29—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:190(A), relative to motorcycles; to require any person who operates or rides upon a motorcycle, motor driven cycle, or motorized bicycle to wear a safety helmet; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 519—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:274.1(A), relative to highways; to provide relative to logo signs on interstate highways and other certain highways; to authorize the department to contract with a qualified third party for the placement and maintenance of logo signs; to provide relative to the contract and accounting of revenues between the parties; to provide relative to fees for certain logo signs; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 183—
BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to study and reevaluate the necessity of installing a traffic signal at the intersection of Louisiana Highway 1077 and Louisiana Highway 1085 in St. Tammany Parish and to report such findings to the House and Senate Transportation, Highways and Public Works Committees within sixty days.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 184—
BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of four-laning Louisiana Highway 311 in Terrebonne Parish from Barrow Street to Savanne Road.

Reported favorably.

HOUSE BILL NO. 50—
BY REPRESENTATIVE CROWE
AN ACT

To provide relative to speed limits; to require the Department of Transportation and Development to make a final decision regarding the maximum speed limit along certain interstate highways; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 246—
BY REPRESENTATIVES DANIEL, JACKSON, DORSEY, AND
SCALISE

AN ACT

To enact R.S. 47:463.126 and 463.127, relative to motor vehicles; to provide relative to license plates; to create the Louisiana State University National Champions and the Southern University Black College National Champions prestige license plates; to provide for the issuance of such plates; to provide for the design and color of such plates; to provide relative to the fees for such plates, including a royalty fee for the use of the organizational design and logo on such plates; to designate the use of such royalty fees; to authorize the promulgation of rules and regulations; to require a contract relative to royalty fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 789—
BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 32:387(J)(1), relative to special permits; to provide relative to special container permits issued by the Department of Transportation and Development; to provide relative to certain requirements for issuance of such permits; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 904—
BY REPRESENTATIVES HAMMETT AND FUTRELL
AN ACT

To enact R.S. 47:463.2.1 and 463.126, relative to motor vehicle license plates; to provide for creation of a NASCAR special prestige license plate; to provide relative to the design and color of such plate; to authorize the commissioner of motor vehicles to enter into an agreement with the supplier of such plate; to provide relative to the fees for such plate; to authorize promulgation of rules and regulations; to require issuance of plates established for veterans and military personnel; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 991—
BY REPRESENTATIVE FUTRELL
AN ACT

To enact R.S. 32:414.2(A)(9), relative to commercial driver's licenses; to provide relative to operating records of commercial drivers; to require certain violations and judgments be included on a commercial motor vehicle driver's operating record; to provide relative to the definition of "conviction"; to provide relative to certain notice requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1023—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:420, relative to driver's license requirements; to provide for certain exemptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1146—

BY REPRESENTATIVES LAFLEUR AND HUDSON
AN ACT

To amend and reenact R.S. 34:1451(A)(1)(a), (b), and (c), relative to the Greater Krotz Springs Port Commission; to provide with respect to the residency requirements of certain members of the Greater Krotz Springs Port Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1292—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:771(1) and (15), relative to motorcycles and all-terrain vehicles; to revise the definition of all-terrain vehicle; to provide that the term "motorcycle" shall not include electric-powered scooters; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1329—

BY REPRESENTATIVES THOMPSON AND HAMMETT
AN ACT

To enact Subpart F-1 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.71 through 140.79, relative to railroads; to authorize two or more parishes to create a railroad development district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1354—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:773.1(A)(2)(o), 773.2(B) and (F)(1), and 775(A)(7)(introductory paragraph), (8), and (9) and (B) and to enact R.S. 32:775(A)(10), relative to used motor vehicle dealers and marine dealers; to provide relative to certain area of responsibility provisions; to provide for certain penalties for marine dealers; to provide for the commencement period for certain penalties; to provide relative to licensing procedures; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1378—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:756(B), 771(22)(a)(i), 772(A)(1), 774(G)(1), and 780(B) and R.S. 36:4.1(D)(14) and to enact R.S. 32:771(22)(b)(vi) and 774.1, relative to used motor vehicle

dealers; to provide for expiration of license of automotive dismantler and parts recycler; to provide for auctioning of used cars; to rename the Louisiana Used Motor Vehicle and Parts Commission to the Recreational and Used Motor Vehicle Commission; to provide relative to certain license fees; to create the rent with option-to-purchase program; to provide relative to certain penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1469—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 32:402.1(A)(2)(g), relative to drivers' licenses; to authorize an increase in the fee charged for a prelicensing training course; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1475—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 38:2242(A), relative to the Public Works Act; to provide for the definition of "claimant"; to include person to whom money is due for movables leased or rented to contractors and subcontractors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1531—

BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact R.S. 32:381(A), relative to the height of vehicles; to increase the maximum allowable height of vehicles; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1590—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(g), relative to public contracts; to provide relative to contracts for construction management; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1593—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1728.2, relative to disposal of motor vehicles; to provide relative to the definition of junk vehicles; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1594—

BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 48:231, relative to the state highway system; to provide relative to public hearings in each highway district; to require the Joint Highway Priority Construction

Committee to conduct such hearings; to provide relative to the membership of such committee; to provide relative to the presiding officer of such committee; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1637—
BY REPRESENTATIVES STRAIN AND SMILEY
AN ACT

To enact R.S. 32:774.1, relative to used motor vehicles; to prohibit the sale of used motor vehicles by certain unlicensed dealers; to provide for penalties; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 127 from the Committee on Insurance.

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Insurance and the House Committee on Insurance to meet and function as a joint committee to study the difficulty in obtaining professional liability coverage for certain healthcare providers.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux, N	Nevers
Boasso	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Gautreaux, B	Jackson	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 130—
BY SENATORS MALONE AND ELLINGTON AND
REPRESENTATIVE KENNEY

A CONCURRENT RESOLUTION
To extend the condolences of the Louisiana Legislature, on behalf of its members and on behalf of the citizens of the state, to the family of Leon Basco, a native Louisianian and a professional, conscientious, and compassionate educator.

SENATE CONCURRENT RESOLUTION NO. 131—
BY SENATOR MALONE AND REPRESENTATIVE JANE SMITH
A CONCURRENT RESOLUTION

To extend condolences of the Louisiana Legislature on behalf of its members, and on behalf of the citizens of the state, to the family of Ethel Kirkham Faith, a native Louisianian and a devoted Christian lady.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 27, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 42—

BY SENATORS NEVERS AND SCHEDLER AND REPRESENTATIVE STRAIN

AN ACT

To enact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21, relative to agricultural products; to require state agencies to assist the Department of Agriculture and Forestry in the development, registration, and licensing of any trademark or label for use in promoting Louisiana agricultural products; to authorize the Department of Agriculture and Forestry to sell licenses for such trademarks or labels; to create the Agricultural Product Support Fund; to provide for the deposit of monies into the fund and for the use of such monies; to require the promulgation of rules and regulations; and to provide for related matters.

SENATE BILL NO. 67—

BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR

AN ACT

To enact Part III-H of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:138 through 138.7, relative to expropriation by municipal corporations; to authorize the city of Pineville to expropriate certain properties for the Susek Drive Project; and to provide for related matters.

SENATE BILL NO. 143—

BY SENATORS DUPRE AND DUPLESSIS AND REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:5212 and R.S. 35:12(D) and 392.1, relative to ex officio notaries; to provide relative to the authority of ex officio notaries; to provide for the rejection of certain documents; to provide for actions exceeding the authority granted; and to provide for related matters.

SENATE BILL NO. 148—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 3:3654(E)(4) and (6), as amended by Act No. 1232 of the 2003 Regular Session, and to enact R.S. 3:3656(A)(3), relative to security devices affecting farm products; to provide relative to financing statements for farm products; to provide relative to certain requirements for the amendment and expiration of such statements; and to provide for related matters.

SENATE BILL NO. 239—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:969.17, R.S. 9:3529, and R.S. 47:1604.2, relative to certain credit transactions; to provide for the collection of certain fees and charges due to insufficient funds when payment is made by electronic means; and to provide for related matters.

SENATE BILL NO. 248—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:606, relative to interment; to require submission of certain information to the Louisiana Cemetery Board; to provide for the initiation of construction of mausoleums or similar structures within a specified period pursuant to plans and contracts; to provide for timely delivery of acceptable interment space; to provide for imposition of

penalties for failure to comply; and to provide for related matters.

SENATE BILL NO. 372—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 6:969.6(8), relative to the Louisiana Motor Vehicle Finance Act; to provide for the definition of a consumer loan; and to provide for related matters.

SENATE BILL NO. 464—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2018(C) and to enact R.S. 30:2017(B)(3), relative to the public hearings conducted by the Department of Environmental Quality; to provide for the location of the public hearing; to authorize public officials to speak at such public hearings; and to provide for related matters.

SENATE BILL NO. 628 (Duplicate of House Bill No. 875)—

BY SENATORS BAJOE AND REPRESENTATIVE WINSTON AND COAUTHORED BY SENATOR HOLDEN

AN ACT

To amend and reenact Ch.C. Art. 611(A), relative to child abuse reporting and investigation; to limit liability against persons who report child abuse under certain circumstances; and to provide for related matters.

SENATE BILL NO. 725—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 37:1782 and 1787(A)(4) and (D) and to enact R.S. 37:1787(F), relative to pawnbrokers; to provide for definitions; to provide for license eligibility; to provide for license revocation; and to provide for related matters.

SENATE BILL NO. 13—

BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 9 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:1001 through 1004, relative to communication facilities; to provide for notice of the proposed construction of and for the marking of such facilities; and to provide for related matters.

SENATE BILL NO. 137—

BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421(D), relative to deceptive and unfair trade practices; to require the Department of Justice, consumer protection section to provide certain notices to retail businesses; and to provide for related matters.

SENATE BILL NO. 295—

BY SENATOR N. GAUTREAUX AND REPRESENTATIVE GRAY

AN ACT

To enact R.S. 51:1423, relative to deceptive and unfair trade practices; to prohibit the issuing of a gift certificate with an expiration date less than five years from the date of issuance or which includes any service fee; to allow a one-time handling fee not to exceed one dollar; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 385—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 47:1979, relative to reporting of property owned by Tax Commission members; to provide for a deadline for the reporting; and to provide for related matters.

SENATE BILL NO. 530—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 3:2364(B)(2) and R.S. 47:120.71(B), relative to the Louisiana Animal Welfare Commission; to provide with respect to the Louisiana Animal Welfare Commission and its members; to provide that donations be remitted during a certain time to the Louisiana Animal Welfare Fund; and to provide for related matters.

SENATE BILL NO. 635—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 35:200, relative to notaries public; to provide for a one-year period of prescription for filing of malpractice actions against notaries; to provide for remedial application of provisions; to provide for a final date for the filing of certain actions; to provide for exceptions to the peremptive period in cases of fraud; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 216—
BY REPRESENTATIVE WALKER AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and to proclaim May 25, 2004, Tunica-Biloxi Day.

HOUSE CONCURRENT RESOLUTION NO. 217—
BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To declare June 3, 2004, as Louisiana Hunger Awareness Day in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 220—
BY REPRESENTATIVES ARNOLD AND TUCKER AND SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To commend the Lord Beaconsfield Landry Senior High School Boys Track and Field Team upon winning the Class 3A State Track and Field Team Championship.

HOUSE CONCURRENT RESOLUTION NO. 222—
BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To recognize Marrero Land and Improvement Association, Limited on its one hundredth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 223—
BY REPRESENTATIVE LAFLEUR AND SENATOR HINES
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana and the state of Louisiana upon the death, in the line of duty, of Detective Charles Randy Smith of the Evangeline Parish Sheriff's Department.

HOUSE CONCURRENT RESOLUTION NO. 224—
BY REPRESENTATIVE SMILEY AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend the St. Amant High School baseball team for winning the 2004 Louisiana High School Athletic Association Class 5A championship and to congratulate the Gator baseball team for their outstanding performance during the season.

HOUSE CONCURRENT RESOLUTION NO. 225—
BY REPRESENTATIVES FLAVIN, FRITH, GEYMAN, E. GUILLORY, HILL, JOHNS, AND MORRIS AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend CITGO Lake Charles upon the occasion of its sixtieth anniversary and for its many contributions to the state and nation.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 7—

BY REPRESENTATIVES STRAIN, ERDEY, DANIEL, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BURNS, BURRELL, K. CARTER, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FARRAR, FAUCHEUX, FRITH, FUTRELL, GALLOT, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEBERT, HILL, HONEY, HUDSON, HUTTER, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, ODINET, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, WALKER, WHITE, WINSTON, AND WOOTON AND SENATORS ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, CAIN, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HINES, HOLDEN, JONES, KOSTELKA, LENTINI, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

AN ACT

To name a portion of U.S. Highway 190 from the Mississippi River in East Baton Rouge Parish to the Louisiana-Mississippi state line the Ronald Reagan Highway; and to provide for related matters.

HOUSE BILL NO. 64—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 34:2101(A)(introductory paragraph), 2102(B), and 2103(introductory paragraph), relative to the West Calcasieu Port, Harbor, and Terminal District; to provide relative to the name of the district; and to provide for related matters.

HOUSE BILL NO. 219—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 17:85.5, relative to naming a football stadium; to authorize the parish school board in certain parishes to name a football stadium in honor of a school board member; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 333—

BY REPRESENTATIVES SMILEY AND THOMPSON

AN ACT

To amend and reenact R.S. 48:274.1(B), relative to specific information logo signs; to require the Department of Transportation and Development to include "RV friendly" markers within the logo sign program; to authorize certain business establishments to include "RV friendly" markers on their logo signs; to provide relative to the design and issuance criteria for "RV friendly" markers; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 603—

BY REPRESENTATIVES PIERRE AND ST. GERMAIN AND SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:8(84), 305(B)(17) and (G), 323(A), and 491(1) and to enact R.S. 56:305(B)(18) and 501, relative to commercial shrimping; to authorize commercial taking of freshwater shrimp in certain waters; to provide relative to nets and other conditions on such taking; to provide for a gear license and the fee therefor; to provide for the authority of the Wildlife and Fisheries Commission regarding freshwater commercial shrimping, including the authority to authorize such shrimping in additional locations; to provide penalties for violations; and to provide for related matters.

HOUSE BILL NO. 628—

BY REPRESENTATIVES QUEZAIRE AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:820.2(B)(1)(a), relative to the Transportation Infrastructure Model for Economic Development Program; to provide relative to certain project descriptions; and to provide for related matters.

HOUSE BILL NO. 631—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To repeal R.S. 48:35(E), relative to the Department of Transportation and Development general powers, duties, and functions; to repeal provisions requiring the Department of Transportation and Development to adopt rules for minimum safety standards for reflective work-site materials.

HOUSE BILL NO. 634—

BY REPRESENTATIVES QUEZAIRE AND THOMPSON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 36:801(introductory paragraph), relative to the Louisiana Transportation Authority; to provide relative to placement of the authority within the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 636—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 36:508.3(A) and R.S. 38:84, relative to office of public works and intermodal transportation in the Department of Transportation and Development; to provide that the office is responsible for state administration of the National Flood Insurance Program; and to provide for related matters.

HOUSE BILL NO. 698—

BY REPRESENTATIVES JOHNS AND KATZ

AN ACT

To amend and reenact R.S. 37:1212 and to enact R.S. 37:1182(B)(8), relative to the practice of pharmacy; to provide for powers of the board; to provide relative to pharmacy technicians; and to provide for related matters.

HOUSE BILL NO. 704—

BY REPRESENTATIVES BRUNEAU AND MURRAY

AN ACT

To amend and reenact R.S. 37:848(D)(2) and (3) and to enact R.S. 37:848(D)(7), relative to embalming; to allow for refrigeration of remains by funeral establishments; to provide an exception from embalming; and to provide for related matters.

HOUSE BILL NO. 764—

BY REPRESENTATIVES BRUNEAU AND MURRAY

AN ACT

To amend and reenact R.S. 37:845 and 875, relative to fees imposed by the Louisiana State Board of Embalmers and Funeral Directors; to increase fees for licensure; to add fees for work permits; to add fees for inspections; and to provide for related matters.

HOUSE BILL NO. 1044—

BY REPRESENTATIVES MURRAY, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FLAVIN, FUTRELL, GALLOT, GLOVER, GRAY, E. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, MARCHAND, MARTINY, MORRELL, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SHEPHERD, GARY SMITH, ST. GERMAIN, STRAIN, THOMPSON, TRAHAN, TUCKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT

AN ACT

To repeal R.S. 17:335 and 349.2, relative to operations and control of schools; to repeal antiquated and unconstitutional provisions relative to the operation and control of certain schools.

HOUSE BILL NO. 1067—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 32:5, relative to the Louisiana Highway Regulatory Act; to authorize parade marshals to direct, control, and regulate traffic along or near parade routes in Lake Charles and Calcasieu Parish; and to provide for related matters.

HOUSE BILL NO. 1102—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 34:3474(B)(1), relative to the Millennium Port Authority; to provide relative to membership on the board of commissioners; to authorize certain commissioners to appoint designees to serve on the board; and to provide for related matters.

HOUSE BILL NO. 1317—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 36:605(B)(8) and R.S. 43:31(A)(6), relative to the powers and duties of the secretary of the Department of Wildlife and Fisheries; authorizes the secretary to print certain materials to promote the recreational resources and programs of the department; to authorize printing of certain interdepartmental and intradepartmental communications; and to provide for related matters.

HOUSE BILL NO. 1401—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 37:1800(A) and to repeal R.S. 37:1800(D), relative to maturity dates for pawn transactions; to decrease the maturity date for jewelry pledged in all pawnshops; and to provide for related matters.

HOUSE BILL NO. 1424—

BY REPRESENTATIVES BOWLER AND TUCKER

AN ACT

To repeal R.S. 22:1382(A)(3)(d), relative to the Louisiana Insurance Guaranty Association; to provide for refund monies; to delete certain deposit requirements.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Boissiere 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Tuesday, June 1, 2004, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Tuesday, June 1, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk